

## **BILL ANALYSIS**

S.B. 1187  
By: West  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that most police patrol vehicles in Texas are equipped to determine whether a motor vehicle has the required level of motor vehicle liability insurance. These parties further note that in some instances, even though a driver has insurance and a peace officer has knowledge that the driver or motor vehicle is in fact insured, a citation is issued to the driver. S.B. 1187 seeks to prohibit a peace officer from issuing a citation to a driver for failure to show proof of insurance unless the officer attempts and is unable to verify the driver is insured through the financial responsibility verification program.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 1187 amends the Transportation Code to require a citation for a Class C misdemeanor offense for the operation of a motor vehicle in violation of the motor vehicle liability insurance requirement to include an affirmative indication that the peace officer was unable at the time of the alleged offense to verify financial responsibility for the vehicle through the financial responsibility verification program. The bill prohibits the Department of Public Safety (DPS) from assessing a surcharge on the driver's license of a person based on such an offense if the person files with DPS satisfactory evidence showing that the person was in compliance with or exempt from the financial responsibility requirement at the time the offense was alleged to have occurred. The bill's provisions apply to a surcharge pending on the bill's effective date, regardless of when the surcharge was assessed.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.