

BILL ANALYSIS

C.S.H.B. 443
By: Israel
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the continued rise in pedestrian deaths in Texas in recent years. According to crash records maintained by the Texas Department of Transportation, pedestrian fatalities have increased roughly 10 percent over the past few years and totaled over 700 in 2020. Requiring drivers to stop for pedestrians will reduce pedestrian injuries and fatalities, helping Texas achieve the Texas Transportation Commission's goal of eliminating deaths on Texas roads by 2050. It has also been suggested that current law requiring motor vehicles to specifically yield to pedestrians creates further difficulties in determining fault in a collision between a vehicle and a pedestrian in a crosswalk. C.S.H.B. 443 seeks to address these issues by explicitly requiring motorists to stop and yield the right-of-way to a pedestrian under certain circumstances.

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

C.S.H.B. 443 amends the Transportation Code to require the operator of a vehicle to stop when yielding the right-of-way to a pedestrian in the following circumstances:

- when the vehicle is facing a circular green traffic-control signal, to pedestrians lawfully in the intersection or an adjacent crosswalk while the signal is exhibited;
- when the vehicle is facing a green arrow signal, displayed alone or with another signal, and is moving in the direction permitted by the arrow or other indication shown simultaneously, to a pedestrian who is lawfully in an adjacent crosswalk;
- to a pedestrian proceeding across a roadway toward a "Walk" signal;
- to a pedestrian who is crossing a roadway in a crosswalk with no traffic control signal in place or in operation and is either on the half of the roadway in which the vehicle is traveling or is approaching so closely from the opposite half of the roadway as to be in danger; and
- when the vehicle is emerging from or entering an alley, building, or private road or driveway that a pedestrian is approaching on a sidewalk extending across the alley, building entrance or exit, road, or driveway.

C.S.H.B. 443 prohibits a pedestrian from suddenly leaving a curb or other place of safety and proceeding into a crosswalk in the path of a vehicle so close that it is impossible for the vehicle operator to stop when yielding.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 443 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a requirement not included in the original for the operator of a vehicle, when facing a circular green signal, to stop when yielding the right-of-way to pedestrians lawfully in the intersection or an adjacent crosswalk while the signal is exhibited.