

**SUBJECT:** Transferring accident report analysis division from DPS to TxDOT

**COMMITTEE:** Transportation — committee substitute recommended

**VOTE:** 6 ayes — Krusee, Phillips, Harper-Brown, Deshotel, Harless, Hill  
1 nay — Macias  
2 absent — Haggerty, Murphy

**SENATE VOTE:** On final passage, April 12 — 31-0, on Local and Uncontested Calendar

**WITNESSES:** No public hearing

**BACKGROUND:** Government Code, sec. 411.0175 requires the Department of Public Safety (DPS) to:

- tabulate and analyze vehicle accident reports;
- publish, at least annually, statistical information about the number, cause, and location of highway accidents, including property damage, injuries, and deaths to bicyclists and pedestrians; and
- provide an abstract of this statistical information for the preceding biennium to the governor and the Legislature along with recommendations on decreasing accidents and increasing highway safety.

Transportation Code, ch. 550 governs reporting of accidents, including those that involve injury or death.

DPS currently has 86 full-time employees in its traffic Crash Records Bureau.

**DIGEST:** CSSB 766 would repeal Government Code, 411.0175 and would transfer the Crash Records Bureau from DPS to the Texas Department of Transportation (TxDOT). The bill would add Transportation Code, sec. 201.085 that would require TxDOT to:

- tabulate and analyze vehicle accident reports;
- publish, at least annually, statistical information about the number, cause, and location of highway accidents, including property damage, injuries, and deaths to bicyclists and pedestrians; and
- make a report no later than December 15 of each even-numbered year to the governor and the Legislature with an abstract of statistical information for the previous fiscal biennium and recommendations on decreasing highway accidents and increasing highway safety.

The bill also would require TxDOT to provide DPS with electronic access to the accident report system so it could perform its duties, including making timely entries on driver records.

CSSB 766 would revise portions of Transportation Code, ch. 550 to require that accident reporting forms be approved by both DPS and TxDOT.

The bill would take effect on September 1, 2007. The 86 DPS crash Records Bureau employees and the appropriations for the operation of the bureau would be transferred to TxDOT on October 1, 2007. All real estate and office space used by the Crash Records Bureau would remain with DPS. The bureau would have to be operated as an independent unit of TxDOT. By September 21, 2007, DPS or the state would have to enter into a memorandum of understanding with TxDOT to implement the transfer. All DPS rules, policies, forms, procedures, and decisions regarding collection, tabulation, analysis, and maintenance of accident records would remain in effect until superseded by TxDOT rules.

**SUPPORTERS  
SAY:**

CSSB 766 would transfer the Crash Records Bureau from DPS to TxDOT, a logical transition that the agencies have informally discussed and agreed to. TxDOT serves as the primary customer for crash record information, with almost 80 percent of the information being used for highway safety planning and engineering studies.

The bill specifically would mandate that DPS retain access to the crash records information it needs for law enforcement operations and updating drivers records. The bill also would require that the Crash Records Bureau be kept intact as an independent unit within TxDOT. Transfer of the bureau would not materially change its operations from essentially a ministerial function of collecting and analyzing traffic accident statistics,

and TxDOT still would be required to provide accident report information to the governor and the Legislature.

OPPONENTS  
SAY:

Since it was formed in the 1930s, DPS has been in the highway safety business and should retain direct oversight of Crash Records Bureau operations. The transfer of the bureau should not occur because TxDOT is in the road-building business, and the Crash Records Bureau fits more with DPS's role in state government.

NOTES:

The House committee substitute to the Senate-passed version of the bill added a section that specifically would transfer the appropriations that relate primarily to the collection, tabulation, analysis, and maintenance of accident reports and records from DPS to TxDOT and deleted a reference to appropriations in another section of the bill.