

BILL ANALYSIS

Senate Research Center

C.S.S.B. 526
By: Patterson
Criminal Justice
3-18-97
Committee Report (Substituted)

DIGEST

Currently, Texas law contains no provisions regarding changes made to accident reports. Under this system, police officers who are asked to alter an accident report by a superior officer receive little protection. This legislation allows an accident report to be altered only by the peace officer or person who prepared the report, except if the change is made by a written supplement to the report indicating the name of the person who originated the change, in an attempt to provide more security for police officers.

PURPOSE

As proposed, C.S.S.B. 526 establishes the procedure for making a change to an accident report.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 550D, Transportation Code, by adding Section 550.068, as follows:

Sec. 550.068. CHANGING ACCIDENT REPORT. Establishes that except as provided by Subsection (b), a change in or a modification of a written report of a motor vehicle accident prepared by a peace officer or the operator of a vehicle involved in an accident that alters a material fact in the report may be made only by the peace officer or person who prepared the report. Authorizes a change in or a modification of the written report of the accident to be made by a person other than the peace officer or the operator of the vehicle if the change is made by a written supplement to the report, and the written supplement clearly indicates the name of the person who originated the change.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Amends the proposed relating clause to delete the reference to an offense report and a peace officer.

SECTION 1.

Deletes proposed Article 2.26, Chapter 2, Code of Criminal Procedure, regarding changes made to an offense or accident report prepared by a peace officer. Amends Chapter 550D, Transportation Code, by adding Section 550.068, to establish that a change in or modification of a written motor vehicle accident report may be made only by the peace officer or person who prepared the report, except if the change is made by a written supplement to the report clearly indicating the name of the person who originated the change.