

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1367
By: Van de Putte
Criminal Justice
4/27/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

In 1998 the Texas Department of Public Safety compiled a survey showing that 104 children from birth to eight years of age were killed that year as passengers in motor vehicles on Texas roadways.

C.S.S.B. 1367 provides that a person commits an offense if the person operates a passenger car or light truck and transports a child who is younger than 5 years of age and less than 36 inches in height, and does not keep the child secured during the operation of the vehicle in a child passenger safety seat system according to the instructions of the manufacturer of the safety seat system. The bill also provides that a person commits an offense if the person allows a child who is at least five years of age but younger than 15 years of age or who is younger than five years of age and at least 36 inches in height to ride in the vehicle without requiring the child to be secured by a safety belt, provided the child is occupying a seat that is equipped with a safety belt.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 545.412(a), Transportation Code, to provide that a person commits an offense if the person operates a passenger car or light truck and transports a child who is younger than 5 years of age and less than 36 inches in height, and does not keep the child secured during the operation of the vehicle in a child passenger safety seat system according to the instructions of the manufacturer of the safety seat system. Deletes text regarding conditions of transporting a child.

SECTION 2. Amends Section 545.413(b), Transportation Code, to add language to provide that a person commits an offense if the person allows a child who is at least five years of age but younger than 15 years of age or who is younger than five years of age and at least 36 inches in height to ride in the vehicle without requiring the child to be secured by a safety belt, provided the child is occupying a seat that is equipped with a safety belt.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Differs from original in SECTION 1 by changing the proposed amendments to Section 545.412(a), Transportation Code.

Differs from original in SECTION 2 by changing the proposed amendments to Section 545.413(b), Transportation Code.