

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1679
By: Gallegos
Infrastructure Development and Security
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Committee Report (Substituted)

DIGEST AND PURPOSE

According to the Federal Motor Carrier Safety Administration, 5,307 Americans died and an estimated 145,000 were injured in traffic accidents involving large trucks in the year 2000. Texas had the largest number of truck driver highway fatalities in 1998, according to the U.S. Bureau of Labor Statistics. C.S.S.B. 1679 provides a number of safety measures relating to the driving record of the holder of a commercial driver's license and the operation of commercial motor vehicles and creates an offense.

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 521.055, Transportation Code, as follows:

Sec. 521.055. ESTABLISHMENT OF INTERACTIVE SYSTEM. (b) Authorizes the system to provide for the release of the following information:

- (1) the status check described in Section 521.045; or
- (2) the three-year driving record under Section 521.046; or
- (3) the complete driver history in the form of a certified abstract.

(c) Provides that the fee for the certified abstract under Subsection (b)(3) is \$15.

SECTION 2. Amends Subchapter F, Chapter 522, Transportation Code, by adding Section 522.0615, as follows:

Sec. 522.0615. DUTY OF EMPLOYER. Requires, every twelve months during the person's employment, an employer of a person who holds or is required to hold a commercial driver's license under this chapter to obtain certain information relating to the person.

SECTION 3. Amends Section 522.064, Transportation Code, by adding Subsection (d) to provide that a person commits an offense if the person fails to provide the information required under Subsection (a) or (b) or provides false information under Subsection (a) or (b). Provides that an offense under this subsection is a Class C misdemeanor.

SECTION 4. Amends Section 601.022, Transportation Code, as follows:

Sec. 601.022. DEPARTMENT TO PROVIDE OPERATING RECORD. (c) Requires that a request for a certified abstract under this section be accompanied by a \$15, rather than \$20, fee for each abstract.

SECTION 5. Amends Section 730.005, Transportation Code, as follows:

Sec. 730.005. REQUIRED DISCLOSURE. (a) Creates this subsection from existing

text.

(b) Requires personal information obtained by an agency in connection with a motor vehicle record to be disclosed to any requestor by an agency if the requestor provides the requestor's name and address and any proof of that information required by the agency and represents that the use of the personal information will be strictly limited to use by an employer or an agent or insurer of the employer to obtain or verify information relating to a holder of a commercial driver's license that is required under federal law.

SECTION 6. Amends Section 730.007(a), Transportation Code, to delete Subdivision (I) relating to use by an employer or an agent or insurer of the employer to obtain or verify information relating to a holder of a commercial driver's license that is required under 49 U.S.C. Chapter 313. Reletters subsequent subdivisions accordingly.

SECTION 7. Amends Section 12.51, Penal Code, by amending Subsections (b) and (c) and adding Subsection (f), as follows:

(b) Authorizes a court to sentence a corporation or association that is adjudged guilty of an offense that provides a penalty including imprisonment, or that provides no specific penalty, to pay a certain fine in an amount fixed by the court.

(c) Makes a conforming change.

(f) Defines "commercial motor vehicle."

SECTION 8. (a) Effective date: September 1, 2003.

(b) Makes application of this Act prospective.