

BILL ANALYSIS

Senate Research Center
80R1071 JTS-F

S.B. 333
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Transportation and Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, persons with a commercial drivers license (CDL) driving commercial motor vehicles over 26,000 pounds are subject to a Class B misdemeanor for violating an out-of-service order (if they travel without breaks, for example). A driver without a CDL operating a commercial motor vehicle violating the out-of-service order is only subject to a Class C misdemeanor. People without a CDL do operate smaller commercial motor vehicles, but these people are not subject to the same penalties for violating an out-of-service order as are those with a CDL.

As proposed, S.B. 333 applies the sanction for violating an out-of-service order to the operators of smaller commercial motor vehicles (with a gross weight rating of 10,001 lbs. to 26,000 lbs.). This would mean that a person driving a commercial motor vehicle who does not have or need to have a CDL is subject to the same penalties as those who do have a CDL.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 522.071, Transportation Code, by amending Subsection (a) and adding Subsection (e), as follows:

(a) Sets forth that it is an offense to drive a commercial motor vehicle on a highway in violation of, rather than during a period in which a person is subject to, an out-of-service order.

(e) Defines "commercial motor vehicle."

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.