

BILL ANALYSIS

Senate Research Center
83R9386 AJZ-D

H.B. 3523
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Transportation
5/13/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas's recent economic development has resulted in a dramatic increase in commercial vehicles operating on Texas roadways. Unfortunately, this has also led to an increase in commercial drivers operating commercial vehicles without a valid license as well as an increase in both fatal and general traffic accidents. According to the Texas Department of Transportation, in a recent calendar year, more than 8,000 crashes occurred, including around 130 crashes involving a fatality in which a commercial motor vehicle driver did not possess a commercial driver's license or endorsement. Currently, the penalty for operating a commercial motor vehicle without a commercial driver's license is a Class C misdemeanor, which carries a maximum \$500 fine, with no enhancement for subsequent convictions. H.B. 3523 provides for an increase in the penalty to a misdemeanor with a maximum \$1,000 fine and to provide for penalty enhancement for a subsequent conviction.

H.B. 3523 amends current law relating to punishment for the offense of driving a commercial motor vehicle without a commercial driver's license.

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 522.011(c), Transportation Code, to provide that an offense under this section (License or Permit Required; Offense) is a misdemeanor punishable by a fine not to exceed \$1,000, except that the offense is a Class B misdemeanor if it is shown on the trial of the offense that the defendant was convicted of an offense under this section in the year preceding the date of the offense that is the subject of the trial, rather than providing that an offense under this section is a Class C misdemeanor.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2013.