

BILL ANALYSIS

Senate Research Center
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H.B. 2194
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Administration
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current Texas law, operators of motor vehicles are specifically prohibited from leaving their vehicles unattended "without stopping the engine; locking the engine; removing the key from the ignition; setting the parking break effectively; and, if standing on a grade, turning the front wheels to the curb or side of the highway." The current law applies only to those vehicles located on streets and highways. However, citizens whose vehicles are located on their own private property are continually being cited for leaving their vehicles running and unattended due to confusion that the statute applies to private property as well as streets and state highways.

Additionally, current law is archaic and does not reflect the current technologies available to newer vehicles that have remote starting systems. Vehicle owners can start their vehicles remotely—even on a street or highway—and still secure their vehicle from unauthorized removal.

H.B. 2194 clarifies that an owner may leave a vehicle running and unattended when said vehicle is located on property under the control of the owner.

H.B. 2194 permits an owner to remotely start a motor vehicle that is parked on a street or highway.

Clarifying the language is necessary to prevent unnecessary ticketing. Also, technology in modern vehicles has evolved to the point that current law is obsolete. Most cars have options that allow people to leave their engine running and still keep their cars locked. Additionally, citizens of the state of the Texas have a right, within reason, to leave their vehicles idling while not inside them.

H.B. 2194 amends current law relating to the offense of leaving a motor vehicle unattended.

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 545.404, Transportation Code, as follows:

Sec. 545.404. UNATTENDED MOTOR VEHICLE. (a) Creates this subsection from existing text. Prohibits an operator, except as provided by Subsection (b), from leaving a vehicle unattended without:

- (1) stopping the engine;
- (2) locking the ignition;
- (3) removing the key from the ignition;
- (4) setting the parking brake effectively; and

(5) if standing on a grade, turning the front wheels to the curb or side of the highway.

(b) Provides that the requirements of Subsections (a)(1), (2), and (3) do not apply to an operator who starts the engine of a vehicle by using a remote starter or other similar device that:

(1) remotely starts the vehicle's engine without placing the key in the ignition; and

(2) requires the key to be placed in the ignition or physically present in the vehicle before the vehicle can be operated.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2015.