

## **BILL ANALYSIS**

Senate Research Center  
84R11977 JRR-D

S.B. 1709  
By: Huffman  
Transportation  
3/31/2015  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

To ensure that a commercial vehicle is safely maintained, equipped, loaded and operated, Texas has incorporated the Federal Motor Carrier Safety Regulations as the means to regulate and enforce commercial vehicles. Select law enforcement agencies have specialized units dedicated to this enforcement who are able to write Class C tickets for violations.

Class C ticket fines range from \$1 to \$500, depending on the discretion of the municipal court. In some cases, commercial vehicle operators may be fined only \$8 for failing to secure a load, brake defects, or other equipment violations. These violations, when considered in the context of an 80,000 pound vehicle traveling the roadway, pose potentially catastrophic results.

S.B. 1709 provides a mandatory minimum fine of \$150 for commercial vehicle violations relating specifically to brakes, tires, and load securement. When the monetary penalty increases for the violations, the obedience to the law should increase equally, resulting in safer roads and fewer crashes.

As proposed, S.B. 1709 amends current law relating to criminal liability for certain federal motor carrier safety regulation violations and increases a criminal penalty.

### **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 644.151(b), Transportation Code, to provide that an offense under this section is a misdemeanor punishable by a fine of not less than \$150 or more than \$500, rather than to provide 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, 2015.