

BILL ANALYSIS

Senate Research Center

H.B. 3325
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Transportation
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The latest motor vehicle crash report from the Texas Department of Transportation (TxDOT) chronicles that there is one reportable motor vehicle crash every 56 seconds in Texas, and one person is killed roughly every 2.5 hours.

At present—through the incorrect use of wording—the Texas Transportation Code implicates that traffic crashes do not have a cause as they are referred to as "accidents." However, from unsafe road conditions, to distracted driving, to driving under the influence of alcohol or drugs, motor vehicle crashes have a cause.

Changing semantics can indeed help change the attitude that nobody is at fault during motor vehicle crashes. Using a more culpable term can paint a better picture of reality.

H.B. 3325 amends the Texas Transportation Code to replace "accidents" with "crashes." H.B. 3325 will update the Texas Transportation Code with the contemporary standards used by the United States Department of Transportation and TxDOT.

H.B. 3325 amends current law relating to the terminology used to describe transportation-related accidents.

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 22.085(b), Transportation Code, to refer to crashes, rather than accidents.

SECTION 2. Amends Section 66.017, Transportation Code, to make a conforming change.

SECTION 3. Amends Section 67.017, Transportation Code, to make a conforming change.

SECTION 4. Amends Section 68.017, Transportation Code, to make a conforming change.

SECTION 5. Amends Sections 69.017(a) and (c), Transportation Code, to make conforming changes.

SECTION 6. Amends Section 70.017, Transportation Code, to make a conforming change.

SECTION 7. Amends Sections 112.103(b) and (c), Transportation Code, to make conforming changes.

SECTION 8. Amends Section 192.005, Transportation Code, as follows:

Sec. 192.005. New heading: RECORD OF CRASH OR VIOLATION. Makes conforming changes.

SECTION 9. Amends Section 201.806, Transportation Code, as follows:

Sec. 201.806. New heading: CRASH REPORTS. (a) and (b) Makes conforming changes to these subsections.

SECTION 10. Amends Sections 201.909(a), (b), and (c), Transportation Code, to make conforming changes.

SECTION 11. Amends Sections 201.911(a), (b), and (c), Transportation Code, to make conforming changes.

SECTION 12. Amends Section 222.003(d), Transportation Code, to make conforming changes.

SECTION 13. Amends Section 391.038(c-2), Transportation Code, to make a conforming change.

SECTION 14. Amends Section 451.108(c), Transportation Code, to make a conforming change.

SECTION 15. Amends Section 451.454(c), Transportation Code, to make a conforming change.

SECTION 16. Amends Section 451.455(h), Transportation Code, to make conforming changes.

SECTION 17. Amends Section 452.062(b), Transportation Code, to make a conforming change.

SECTION 18. Amends Section 452.454(c), Transportation Code, to make a conforming change.

SECTION 19. Amends Section 452.455(i), Transportation Code, to make conforming changes.

SECTION 20. Amends Section 460.110(b), Transportation Code, to make a conforming change.

SECTION 21. Amends Section 463.065(b), Transportation Code, to make a conforming change.

SECTION 22. Amends Section 521.025(c), Transportation Code, to make a conforming change.

SECTION 23. Amends Section 521.042, Transportation Code, as follows:

Sec. 521.042. New heading: CRASH AND CONVICTION REPORTS; INDIVIDUAL RECORDS. (a)-(d) Makes conforming changes to these subsections.

(e) Makes no changes to this subsection.

SECTION 24. Amends the heading to Section 521.046, Transportation Code, to read as follows:

Sec. 521.046. DISCLOSURE OF CRASH AND CONVICTION INFORMATION.

SECTION 25. Amends Section 521.046(a), Transportation Code, to make a conforming change.

SECTION 26. Amends Section 521.047(b), Transportation Code, to make a conforming change.

SECTION 27. Amends Section 521.049(e), Transportation Code, to make a conforming change.

SECTION 28. Amends Section 521.060(a), Transportation Code, to make a conforming change.

SECTION 29. Amends Section 521.292(a), Transportation Code, to make a conforming change.

SECTION 30. Amends Section 521.457(f-2), Transportation Code, to make a conforming change.

SECTION 31. Amends Section 522.003(25), Transportation Code, to make a conforming change.

SECTION 32. Amends Section 522.081(b), Transportation Code, to make a conforming change.

SECTION 33. Amends Section 523.005(a), Transportation Code, to make a conforming change.

SECTION 34. Amends Section 542.206, Transportation Code, to make a conforming change.

SECTION 35. Amends Section 542.4045, Transportation Code, as follows:

Sec. 542.4045. New heading: PENALTIES FOR FAILURE TO YIELD RIGHT-OF-WAY OFFENSE RESULTING IN CRASH. Makes conforming changes.

SECTION 36. Amends Section 543.002(a), Transportation Code, to make a conforming change.

SECTION 37. Amends Section 543.011(c), Transportation Code, to make conforming changes.

SECTION 38. Amends Section 545.356(d), Transportation Code, to make a conforming change.

SECTION 39. Amends Section 545.3561, Transportation Code, as follows:

Sec. 545.3561. New heading: AUTHORITY OF MUNICIPALITY OR COUNTY TO TEMPORARILY LOWER SPEED LIMIT AT VEHICULAR CRASH RECONSTRUCTION SITE. (a)-(d) Makes conforming changes to these subsections.

(e) Makes no changes to this subsection.

(f) Makes conforming changes to this subsection.

(g) Makes no changes to this subsection.

(h) and (i) Makes conforming changes to these subsections.

SECTION 40. Amends Section 545.4121(b), Transportation Code, to make a conforming change.

SECTION 41. Amends Section 545.420(i), Transportation Code, to make a conforming change.

SECTION 42. Amends Section 545.455, Transportation Code, as follows:

Sec. 545.455. New heading: DUTIES FOLLOWING CRASH INVOLVING AUTOMATED MOTOR VEHICLE. Makes a conforming change.

SECTION 43. Amends Section 547.305(d), Transportation Code, to make a conforming change.

SECTION 44. Amends Section 547.615(a)(2), Transportation Code, to make conforming changes.

SECTION 45. Amends Section 547.615(c), Transportation Code, to make conforming changes.

SECTION 46. Amends Section 548.053(b), Transportation Code, to require that a vehicle that is inspected and is subsequently involved in a crash or other incident, rather than involved in an accident, affecting the safe operation of an item of inspection be reinspected following repair.

SECTION 47. Amends the heading to Chapter 550, Transportation Code, to read as follows:

CHAPTER 550. CRASHES AND CRASH REPORTS

SECTION 48. Amends the heading to Subchapter B, Chapter 550, Transportation Code, to read as follows:

SUBCHAPTER B. DUTIES FOLLOWING CRASH

SECTION 49. Amends Section 550.021, Transportation Code, as follows:

Sec. 550.021. New heading: CRASH INVOLVING PERSONAL INJURY OR DEATH.

(a) Makes conforming changes to this subsection.

(b) Makes no changes to this subsection.

(c) Makes conforming changes to this subsection.

SECTION 50. Amends the heading to Section 550.022, Transportation Code, to read as follows:

Sec. 550.022. CRASH INVOLVING DAMAGE TO VEHICLE.

SECTION 51. Amends Sections 550.022(a) and (b), Transportation Code, to make conforming changes.

SECTION 52. Amends Section 550.023, Transportation Code, to make conforming changes.

SECTION 53. Amends Section 550.025(a), Transportation Code, to make conforming changes.

SECTION 54. Amends Section 550.026, Transportation Code, as follows:

Sec. 550.026. New heading: IMMEDIATE REPORT OF CRASH. (a) and (b) Makes conforming changes to these subsections.

SECTION 55. Amends the heading to Subchapter C, Chapter 550, Transportation Code, to read as follows:

SUBCHAPTER C. INVESTIGATION OF CRASH

SECTION 56. Amends Section 550.041(a), Transportation Code, to make conforming changes.

SECTION 57. Amends the heading to Subchapter D, Chapter 550, Transportation Code, to read as follows:

SUBCHAPTER D. WRITTEN CRASH REPORT

SECTION 58. Amends Section 550.062, Transportation Code, as follows:

Sec. 550.062. New heading: OFFICER'S CRASH REPORT. (a)-(c) Makes conforming changes to these subsections.

SECTION 59. Amends Section 550.063, Transportation Code, to make conforming changes.

SECTION 60. Amends Section 550.064, Transportation Code, as follows:

Sec. 550.064. New heading: CRASH REPORT FORMS. (a) and (b) Makes conforming changes to these subsections.

SECTION 61. Amends Section 550.065, Transportation Code, as follows:

Sec. 550.065. New heading: RELEASE OF CERTAIN INFORMATION RELATING TO CRASHES. (a)-(f) Makes conforming changes to these subsections.

(g) Makes no changes to this subsection.

SECTION 62. Amends Section 550.066, Transportation Code, as follows:

Sec. 550.066. New heading: ADMISSIBILITY OF CERTAIN CRASH REPORT INFORMATION. Makes a conforming change.

SECTION 63. Amends Section 550.067, Transportation Code, as follows:

Sec. 550.067. New heading: MUNICIPAL AUTHORITY TO REQUIRE CRASH REPORTS. (a) Makes conforming changes to this subsection.

(b) Makes no changes to this subsection.

(c) Makes a conforming change to this subsection.

SECTION 64. Amends Section 550.068, Transportation Code, as follows:

Sec. 550.068. New heading: CHANGING CRASH REPORT. (a) and (b) Makes conforming changes to these subsections.

SECTION 65. Amends Sections 550.081(b) and (c), Transportation Code, to make conforming changes.

SECTION 66. Amends Section 601.002(3), Transportation Code, to make a conforming change.

SECTION 67. Amends Section 601.003(b), Transportation Code, to make conforming and nonsubstantive changes.

SECTION 68. Amends Section 601.006, Transportation Code, to make conforming changes.

SECTION 69. Amends Sections 601.009(b) and (c), Transportation Code, to make conforming changes.

SECTION 70. Amends Section 601.053(a), Transportation Code, to make a conforming change.

SECTION 71. Amends Section 601.056(e), Transportation Code, to make a conforming change.

SECTION 72. Amends Sections 601.072(a-1) and (b), Transportation Code, to make conforming changes.

SECTION 73. Amends Section 601.084(c), Transportation Code, to make a conforming change.

SECTION 74. Amends Section 601.086, Transportation Code, to make a conforming change.

SECTION 75. Amends Section 601.124(c), Transportation Code, to make a conforming change.

SECTION 76. Amends the heading to Subchapter F, Chapter 601, Transportation Code, to read as follows:

SUBCHAPTER F. SECURITY FOLLOWING CRASH

SECTION 77. Amends Section 601.151, Transportation Code, to make conforming changes.

SECTION 78. Amends Section 601.152(a), Transportation Code, to make conforming changes.

SECTION 79. Amends Sections 601.154(a), (c), and (d), Transportation Code, to make conforming changes.

SECTION 80. Amends Section 601.155(b), Transportation Code, to make a conforming change.

SECTION 81. Amends Section 601.157(b), Transportation Code, to make conforming changes.

SECTION 82. Amends Section 601.158(a), Transportation Code, to make a conforming change.

SECTION 83. Amends Section 601.162(a), Transportation Code, to make conforming changes.

SECTION 84. Amends Section 601.163(b), Transportation Code, to make a conforming change.

SECTION 85. Amends Section 601.164(a), Transportation Code, to make a conforming change.

SECTION 86. Amends Section 601.166, Transportation Code, to make conforming changes.

SECTION 87. Amends Section 601.167, Transportation Code, to make conforming changes.

SECTION 88. Amends Section 601.168(b), Transportation Code, to make a conforming change.

SECTION 89. Amends Section 601.169, Transportation Code, to make conforming changes.

SECTION 90. Amends Section 601.291, Transportation Code, to make a conforming change.

SECTION 91. Amends Section 601.292, Transportation Code, to make a conforming change.

SECTION 92. Amends Sections 601.293(b), (c), and (d), Transportation Code, to make conforming changes.

SECTION 93. Amends Section 601.294, Transportation Code, to make a conforming change.

SECTION 94. Amends Section 601.296(a), Transportation Code, to make conforming changes.

SECTION 95. Amends Section 601.333, Transportation Code, to make conforming changes.

SECTION 96. Amends Section 622.954(a), Transportation Code, to make a conforming change.

SECTION 97. Amends Section 623.0172(l), Transportation Code, to make a conforming change.

SECTION 98. Amends Section 623.410, Transportation Code, to make a conforming change.

SECTION 99. Amends Section 643.105, Transportation Code, to make conforming changes.

SECTION 100. Amends Section 644.151(b-1), Transportation Code, to make conforming changes.

SECTION 101. Amends Sections 661.003(c) and (i), Transportation Code, to make conforming changes.

SECTION 102. Amends Section 686.001(1), Transportation Code, to make a conforming change.

SECTION 103. Amends Section 686.004(a), Transportation Code, to make conforming changes.

SECTION 104. Amends Section 686.005, Transportation Code, to make a conforming change.

SECTION 105. Amends Section 709.002(e), Transportation Code, to make a conforming change.

SECTION 106. Amends Section 723.011(a), Transportation Code, to make conforming changes.

SECTION 107. Amends Section 723.012, Transportation Code, to make a conforming change.

SECTION 108. Amends Section 723.013(a), Transportation Code, to make a conforming change.

SECTION 109. Amends Section 724.012(b), Transportation Code, to make conforming changes.

SECTION 110. Amends Section 726.002, Transportation Code, to make a conforming change.

SECTION 111. Amends Sections 730.003(4) and (6), Transportation Code, to make conforming changes.

SECTION 112. Amends Section 1006.153(e), Transportation Code, to make a conforming change.

SECTION 113. Amends the heading to Chapter 504, Business & Commerce Code, to read as follows:

CHAPTER 504. PROHIBITED USE OF CRIME VICTIM OR MOTOR VEHICLE CRASH
INFORMATION

SECTION 114. Amends Section 504.001(2), Business & Commerce Code, to make conforming changes.

SECTION 115. Amends Section 504.002(a), Business & Commerce Code, to make conforming changes.

SECTION 116. Amends Section 30.006(e), Civil Practice and Remedies Code, to make conforming changes.

SECTION 117. Amends Article 12.01, Code of Criminal Procedure, as follows:

Art. 12.01. FELONIES. Authorizes felony indictments, except as provided in Article 12.03 (Aggravated Offenses, Attempt, Conspiracy, Solicitation, Organized Criminal Activity), to be presented within certain limits, and not afterward, including two years from the date the offense was discovered for sexual assault punishable as a state jail felony under Section 22.011(f)(2) (relating to the provision that an offense in which a health care services provider who uses donated human reproductive material in the course of performing an assisted reproduction procedure without receiving express consent is a state jail felony), Penal Code, as amended by Chapter 436 (S.B. 1259), Acts of the 86th Legislature, Regular Session, 2019. Makes conforming changes.

SECTION 118. Redesignates Article 42A.515, Code of Criminal Procedure, as added by Chapter 290 (H.B. 2502), Acts of the 86th Legislature, Regular Session, 2019, as Article 42A.516, Code of Criminal Procedure, and amends it as follows:

Art. 42A.516. New heading: COMMUNITY SUPERVISION FOR LEAVING SCENE OF MOTOR VEHICLE CRASH RESULTING IN DEATH OF PERSON. (a) and (b) Makes no changes to these subsections.

SECTION 119. Amends Article 49.10(j), Code of Criminal Procedure, to make a conforming change.

SECTION 120. Amends Article 59.01(3), Code of Criminal Procedure, to make a conforming change.

SECTION 121. Amends Section 1001.112(a-2), Education Code, to make conforming changes.

SECTION 122. Amends Section 264.513(c), Family Code, to make conforming changes.

SECTION 123. Amends Section 411.0726(e), Government Code, to make a conforming change.

SECTION 124. Amends Section 411.0731(e), Government Code, to make a conforming change.

SECTION 125. Amends Section 411.0736(e), Government Code, to make a conforming change.

SECTION 126. Amends Section 423.002(a), Government Code, to make conforming changes.

SECTION 127. Amends Section 1952.155, Insurance Code, to make conforming changes.

SECTION 128. Amends Section 1954.056(b), Insurance Code, to make conforming changes.

SECTION 129. Amends Section 2308.002(5-a), Occupations Code, to make conforming changes.

SECTION 130. Amends Sections 2308.209(c), (d), and (h), Occupations Code, to make conforming changes.

SECTION 131. Amends the heading to Section 38.18, Penal Code, to read as follows:

Sec. 38.18. USE OF CRASH REPORT INFORMATION AND OTHER INFORMATION FOR PECUNIARY GAIN.

SECTION 132. Amends Section 2(4-a), Article 6243g-4, Vernon's Texas Civil Statutes, to make a conforming change.

SECTION 133. Provides that, to the extent of any conflict, this Act prevails over another Act of the 87th Legislature, Regular Session, 2021, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 134. Effective date: September 1, 2021.