

By: Riddle

H.B. No. 19

A BILL TO BE ENTITLED

AN ACT

relating to the penalty for operation of a motor vehicle without a license.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 521.021, Transportation Code, is amended to read as follows:

Sec. 521.021. LICENSE REQUIRED. (a) A person, other than a person expressly exempted under this chapter, may not operate a motor vehicle on a highway in this state unless the person holds a driver's license issued under this chapter.

(b) A person who violates this section commits an offense.

(c) Except as provided by Subsection (d), an offense under this section is a misdemeanor punishable by a fine not to exceed \$200.

(d) An offense under this section is a Class B misdemeanor if it is shown on the trial of the offense that the person at the time of the offense was committing another offense under Subtitle C, Title 7, that caused property damage, bodily injury, or death.

SECTION 2. The heading to Subchapter J, Chapter 601, Transportation Code, is amended to read as follows:

SUBCHAPTER J. IMPOUNDMENT OF CERTAIN MOTOR VEHICLES INVOLVED IN ACCIDENT [~~VEHICLE NOT REGISTERED IN THIS STATE~~]

SECTION 3. Section 601.291, Transportation Code, is amended to read as follows:

1 Sec. 601.291. APPLICABILITY OF SUBCHAPTER. (a) This
2 subchapter applies only to the owner or operator of a motor vehicle
3 that~~+~~

4 ~~[(1) is not registered in this state, and~~

5 ~~[(2)]~~ is involved in a motor vehicle accident in this
6 state that results in bodily injury, death, or damage to the
7 property of one person to an apparent extent of at least \$500 and:

8 (1) is not registered in this state; or

9 (2) is operated by a person who fails to hold a license
10 required under Chapter 521.

11 (b) The initial determination of compliance with Chapter
12 521 is made by the law enforcement officer described by Section
13 601.292. The final determination of compliance is made by the
14 magistrate under Section 601.293(b).

15 SECTION 4. Section 601.293(b), Transportation Code, is
16 amended to read as follows:

17 (b) If the vehicle is not registered in this state or if the
18 magistrate determines the operator is not in compliance with the
19 license requirements under Chapter 521, the [The] magistrate shall
20 conduct an inquiry on the issues of negligence and liability for
21 bodily injury, death, or property damage sustained in the accident.

22 SECTION 5. Section 601.296, Transportation Code, is amended
23 by adding Subsection (a-1) to read as follows:

24 (a-1) If the motor vehicle is to be operated in this state at
25 the time of release, the submission under Subsection (a) must also
26 include evidence of financial responsibility under Section 601.053
27 that shows that at the time of release the vehicle will be in

1 compliance with Section 601.051 or is exempt from the requirement
2 of Section 601.051.

3 SECTION 6. The change in law made by this Act applies only
4 to an offense committed on or after the effective date of this Act.
5 An offense committed before the effective date of this Act is
6 covered by the law in effect when the offense was committed, and the
7 former law is continued in effect for that purpose. For the purposes
8 of this section, an offense was committed before the effective date
9 of this Act if any element of the offense was committed before that
10 date.

11 SECTION 7. This Act takes effect September 1, 2011.