

1-1 By: West S.B. No. 1187
1-2 (In the Senate - Filed March 1, 2017; March 9, 2017, read
1-3 first time and referred to Committee on Transportation;
1-4 April 12, 2017, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 12, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Nichols	X		
1-9	Hall	X		
1-10	Creighton	X		
1-11	Garcia	X		
1-12	Hancock	X		
1-13	Hinojosa	X		
1-14	Kolkhorst	X		
1-15	Perry	X		
1-16	Rodríguez	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the offense of operating a motor vehicle without
1-20 financial responsibility.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 601.053(c), Transportation Code, is
1-23 amended to read as follows:

1-24 (c) Subsection (b) does not apply if the peace officer
1-25 determines through use of the verification program established
1-26 under Subchapter N that financial responsibility has been
1-27 established for the vehicle. A ~~[If a] peace [officer has access to~~
1-28 ~~the verification program, the]~~ officer may not issue a citation for
1-29 an offense under [a violation of] Section 601.191 [601.051] unless
1-30 the officer attempts to verify through the verification program
1-31 that financial responsibility has been established for the vehicle
1-32 and is unable to make that verification.

1-33 SECTION 2. Section 601.191, Transportation Code, is amended
1-34 by adding Subsection (e) to read as follows:

1-35 (e) A citation issued for an offense under this section must
1-36 include an affirmative indication that the peace officer was unable
1-37 at the time of the alleged offense to verify financial
1-38 responsibility for the vehicle through the verification program
1-39 established under Subchapter N.

1-40 SECTION 3. Section 708.103, Transportation Code, is amended
1-41 by amending Subsection (a) and adding Subsection (a-1) to read as
1-42 follows:

1-43 (a) Except as provided by Subsection (a-1), each [Each] year
1-44 the department shall assess a surcharge on the license of each
1-45 person who during the preceding 36-month period has been convicted
1-46 of an offense under Section 521.457, 601.191, or 601.371.

1-47 (a-1) The department may not assess a surcharge on the
1-48 license of a person based on an offense under Section 601.191 if the
1-49 person proves to the department under Section 601.231(b) that the
1-50 person had financial responsibility at the time the offense was
1-51 alleged to have occurred.

1-52 SECTION 4. The change in law made by this Act to Section
1-53 708.103, Transportation Code, applies to a surcharge pending on the
1-54 effective date of this Act, regardless of when the surcharge was
1-55 assessed.

1-56 SECTION 5. This Act takes effect immediately if it receives
1-57 a vote of two-thirds of all the members elected to each house, as
1-58 provided by Section 39, Article III, Texas Constitution. If this
1-59 Act does not receive the vote necessary for immediate effect, this
1-60 Act takes effect September 1, 2017.

1-61 * * * * *