

**Highlights from the 81<sup>st</sup>  
Legislative Session**

**Regional Clerks Seminar 2010**

---

---

---

---

---

---

---

---

**Traffic Safety &  
Transportation Code  
Amendments**



The image block contains three separate photographs. The first is a diamond-shaped traffic sign with a black arrow pointing left. Below it is a rectangular sign that says 'KEEP RIGHT' with an arrow pointing right. The second is a black and white photo of a woman driving a car while holding a cell phone to her ear. The third is a black and white photo of a stop sign on a road.

---

---

---

---

---

---

---

---

*Texas Department of Transportation*  
**Texas Department of Motor  
Vehicles**

**H.B. 3097 creates a  
Texas DMV**

**-Transfers authority over  
the registration and titling  
of vehicles  
effective Nov. 1, 2009**

---

---

---

---

---

---

---

---

## Driver's Licenses

- ❖ New residents have 90 days to obtain a Texas driver's license
- ❖ Persons under 21 must take a driver education course

DPS has unveiled a redesigned Texas driver license and identification card with a new look and enhanced security.

[view press release](#)




---

---

---

---

---

---

---

---

## Driver's Licenses

- ❖ NO waiver of driving test for anyone under 18
- ❖ Applicants for Class M license or endorsement must take a Motorcycle operator training course

DPS has unveiled a redesigned Texas driver license and identification card with a new look and enhanced security.

[view press release](#)




---

---

---

---

---

---

---

---

## Driver Education / Driving Safety

- ❖ Must now include a component relating to the effect of using cell phones or engaging in other distracting behavior and information related to motorcycles

---

---

---

---

---

---

---

---

**Driving While License Invalid**

**Enhancements:**

**DWLI & FMFR = Class  
B**

**If a crash results in  
serious injury or death =  
Class A**

---

---

---

---

---

---

---

---

**Distracted Driving**

**Any man who can drive safely  
while kissing a pretty girl is simply  
not giving the kiss the attention it  
deserves.**

**~Albert Einstein**

---

---

---

---

---

---

---

---

**TEEN DRIVERS**

**545.424 T.C:**

- **Tougher Restrictions on Teen Drivers**
  - **NO USE OF WIRELESS COMMUNICATION DEVICE UNDER AGE 18, except in case of emergency**
- **Restrictions for first 12 months**
  - **No driving midnight to 5 a.m.**
  - **(previously for 6 months)**

---

---

---

---

---

---

---

---




---

---

---

---

---

---

---

---

**No cell phones in school crossing zones**

- Hands-free devices OK
- City to post signs
- Fine: \$1-\$200

---

---

---

---

---

---

---

---

**Safety Belt Offenses**

H.B. 537: Amends 545.413 T.C.:

**Passenger can now be ticketed for no seat belt- front seat or back seat (if at least 15)**

---

---

---

---

---

---

---

---

### Safety Belts

❖ ALL occupants of a vehicle must be in a safety belt. For adults – no longer just those in the front seat.

❖ New offense for an operator of a passenger van to allow a child under 17 to ride not secured in a safety belt.

NECESSARY?

---

---

---

---

---

---

---

---

What's wrong with this picture?



---

---

---

---

---

---

---

---

### Motorcycles



- Motorcycle operator prohibited from carrying person under 5 years old
- Fine \$100-\$200
- Defense: emergency or "law enforcement purpose" (?)

---

---

---

---

---

---

---

---

## Motorcycle Helmet Laws

it IS against the law

Exception: under 21 ...

---

---

---

---

---

---

---

---

## Disabled Parking

	Current Law	H.B. 3095	S.B. 52
<b>First</b>	\$250 - \$500 fine	\$500 - \$750 fine	same as current
<b>Second</b>	\$300 - \$600 fine	\$550 - \$800 fine & 10 hrs CS	\$500 - \$800 fine & 10 hrs CS
<b>Third</b>	\$300 - \$600 fine & 10-20 hrs CS	\$550 - \$800 fine & 20-30 hrs CS	\$550 - \$800 fine & 20 hrs CS
<b>Fourth</b>	\$500 - \$1,000 fine & 20-50 hrs CS	\$800 - \$1,100 fine & 50 hrs CS	\$800 - \$1,100 fine & 30 hrs CS
<b>Fifth</b>	\$1,000 fine & 50 hrs CS	\$1,250 fine & 50 hrs CS	\$1,250 fine & 50 hrs CS

---

---

---

---

---

---

---

---



## New compliance dismissal for expired disabled parking placards

- ❖ Renewed within 20 working days or by first court appearance, whichever is later
- ❖ Not expired more than 60 days
- ❖ Administrative fee not to exceed \$ 20

---

---

---

---

---

---

---

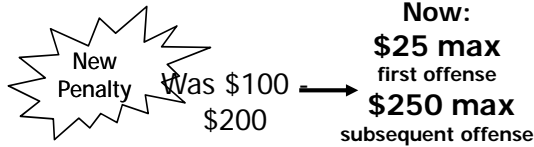
---

### Child Passenger Safety Seat Systems

Increases age from under 5 years and less than 36"

to under 8 years, unless over 4'9" tall

-Warning period until June 1, 2010




---

---

---

---

---

---

---

---

---

---

### Child Passenger Safety Seat Systems

❖ Substantive: increased age limit to under 8, unless 4'9" or taller

❖ Fine amount: reduced from \$100-\$200 to not more than \$ 25 on first offense or not more than \$ 250 on subsequent offense

❖ Court cost: new 15 cent court cost on conviction under this section

Effective date vs. enforcement date  
Sept 1, 2009      June 1, 2010

---

---

---

---

---

---

---

---

---

---

## COSTS AND ADMINISTRATION

---

---

---

---

---

---

---

---

---

---

### Child Passenger Safety Seat



---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---

### CHILD SAFETY SEATS:

■ NEW COURT COST:

**15 cents  
on  
convictions for  
545.412  
T.C.-sent  
to  
Comptro**



---

---

---

---

---

---

---

---



### NEW COURT COST CIVIL JUSTICE FEE

- H.B. 3389-TECLOSE
- COST COLLECTION EFFECTIVE JAN. 1, 2010
- 10 CENT FEE ON MOVING VIOLATIONS
- ART. 102.022
- AND THE GOOD NEWS...




---

---

---

---

---

---

---

---

### H.B. 1544

#### Deferred Disposition Special Expense Fee

- When does your court collect the special expense fee on a deferred disposition case?
- This bill amends Article 45.051, Code of Criminal Procedure to authorize a municipal or justice court to collect the special expense fee prior to the end of the deferral period.

---

---

---

---

---

---

---

---

### DPS Reporting

- Section 543.203 of the Transportation Code is amended to require the magistrate, judge, or clerk to submit to DPS, not later than the 7<sup>th</sup> day after a conviction or bail forfeiture
- Previously courts had 30 days to submit these reports.)

---

---

---

---

---

---

---

---

Juror Exemption for those  
with Custody of Children  
Under Age 15



**Amended Sec.  
62.106 G.C.**

---

---

---

---

---

---

---

---

Questions?



**THANKS!**

---

---

---

---

---

---

---

---