

Travels Through the  
Transportation Code:  
Rules of the Road

Presented by  
Gilbert Hernandez

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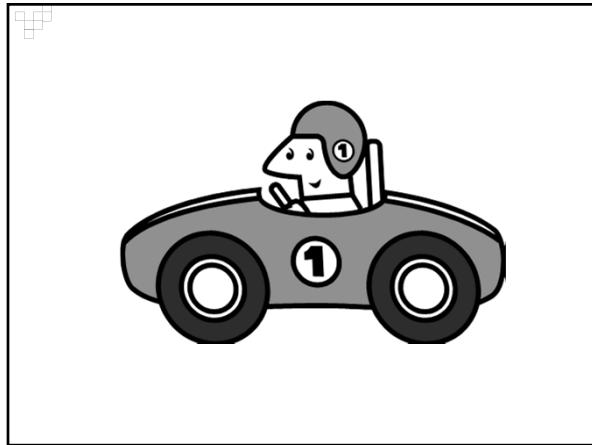
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**Objectives:**

- Describe the Rules of the Road
- Determine why these are important to know
- Explain moving violations
- Distinguish some of their differences

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**Rules of the Road & Moving Violations**

Rules of the Road

Moving Violations

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**Transportation Code**

- Title 3 Aviation
- Title 5 Railroads
- Title 6 Roadways
- Title 7 Vehicles and Traffic

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**Title 7 Vehicles and Traffic - subtitles**

- A. Certificate of Title and Registration
- B. Driver's Licenses and Personal IDs
- C. *Rules of the Road*
- D. Motor Vehicle Safety Responsibility
- E. Vehicle size and weight
- F. Commercial Motor vehicles
- G. Motorcycles and off-highway vehicles
- H. Parking, towing, and storage
- I. Enforcement of traffic laws
- J. Miscellaneous provisions

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**Title 7 Vehicles and Traffic**

- **Subtitle C Rules of the Road**
  - Chapters 541-600
  - Chapters 554-599 reserved for expansion

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**Chapter 542, T.C.**

- **General Provisions**
  - **Applicability:**
    - Vehicles on highways
    - Gov vehicles
    - Animals & animal-drawn vehicles
  - **Uniformity of interpretation of traffic laws**
    - Powers of local authorities
    - Limitations of local authorities
    - Limitation on municipalities
  - **Offenses**
    - General offense

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### Chapter 542, T.C.

- General Provisions
- Punishable fine \$1 - \$200, 542.401
- \$3 Traffic Fund (TF), 542.403
- \$30 State Traffic Fee (STF), 542.4031
  - 5% to municipality = \$1.50

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### 542.404, T.C.

- Construction Zone Workers Present
  - Twice the minimum fine
  - Twice the maximum fine
    - Except: 548 (Insp),
    - 552 pedestrians ,
    - 545.412 child safety seat,
    - or 545.413 safety belts




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### 542.4045, T.C.

- Failure to YROW and Accident
  - Bodily injury: \$500 - \$2,000
  - Serious bodily injury: \$1,000 - \$4,000
- 542.405, TC Amount of Civil Penalty
  - Penalty \$75 (Red light camera)
  - Late payment \$25

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**FYROW**

- Chap 1. Sec 1.07 Penal Code
- (8) "**Bodily injury**" means physical pain, illness, or any impairment of physical condition.
- (46) "Serious **bodily injury**" means **bodily injury** that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any **bodily** member or organ.

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**Chapter 543, T.C.**

- **543 Arrest and Prosecution**
  - Arrest without warrant
  - Driving Safety Course fees 543.115
  - Convictions Reported to DPS 543.201

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**Chapter 544, T.C.**

- **544 Traffic, Signs, Signals, & Markings**
  - Place and maintain traffic-control device
  - Compliance with traffic-control device
  - Interference
  - Traffic-control signals in general 544.007
  - Right/Left on red
  - Stop signs and Yield signs 544.010
  - Notification of Photographic Traffic Monitoring 100 ft

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**Chapter 545, T.C. Operation and Movement of Vehicles:**

- A. General provisions
- B. Driving on the right side of roadway & passing
- C. Turning and signals for stopping and turning
- D. Right of way
- E. Streetcars
- F. Special stops and speed restrictions
- G. Stopping, standing, and parking
- H. Speed restrictions
- I. Miscellaneous rules

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**Chapter 545, T.C.**

- **Operation and movement of vehicles**
  - Driving on right side
  - Driving / passing to the left 545.053
    - May not accelerate
  - Signaling turns; Use if turn signals 545.104
  - Passing authorized emergency vehicle 545.157
  - Maximum speed requirement 545.351
  - Child safety seat system 545.412

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**Chapters 546 & 547, T.C.**

- 546 Operation of authorized emergency vehicles & certain other vehicle
- 547 Vehicle equipment
  - Lighting requirements
  - Restrictions on use of lights
  - Headlamps
  - Taillamps
  - Stoplamps
  - \$10.00 max dmd fee

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**Chapter 548, T.C.**

- Compulsory inspection of vehicles
  - Inspection stations
  - Vehicles & equipment subject to inspection
  - Reinspection
  - No insurance
  - Failure to display 5 days
  - Dismissal of charge; admin fee

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**Other Rules of the Road Chapters**

- 550 Accidents and accident reports
- 551 Operation of bicycles, mopeds, & play vehicles
- 552 Pedestrians
- 553 Enactment and enforcement of certain traffic laws in certain municipalities
- 600 Miscellaneous provisions

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**What does this mean for you?**

- If it is a moving violation then \_\_\_\_\_.

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**So far we know:**

- Rules of the Road
- Certain Court Costs apply
- \$40 State CF, \$3 Local TFC, \$25 Local CS, \$30 State STF, \$4 State SJRF, \$2 State IDF State, and \$6 JSF\*3.
- ALL Moving violations incur \$.10

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**We can also determine that:**

- If No Driver's License falls under Sec. 521.021 T.C.
- Rules of the Road are Sec. 541-600
- If Failure to Maintain Financial Responsibility (No insurance) falls under Sec. 601.191 T.C.
- Then TFC & STF do not apply to NOL & FMFR

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**Classify this violation:**



<http://www.flickr.com>

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**What are moving violations?**

- Article 102.022, C.C.P.,
- (a)(1) a moving violation involves the operation of a motor vehicle and
- (2) is classified as a moving violation by the DPS under 708.052, T.C.

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
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 **Section 708.052, T.C.**

- (a) The driver's license accumulates points,
- (b) for each conviction shall assign points as follows:
  - (1) two points for moving violations
  - (2) three points for a moving violation that resulted in an accident.

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 **Section 708.053, T.C.**

- Annual Surcharge for points
  - Accumulation of 6 points
  - Preceding 36-month period

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 **Section 708.054, T.C.**

- Amount of Points Surcharge
  - \$100 for the first 6 points
  - \$25 for each point thereafter

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 **Section 708.102, T.C.**

- **Surcharge for Conviction of Certain Intoxicated Driver Offenses**
  - Section 49.09 P.C.
  - \$1,000 per year for three years
  - \$1,500 per year for second or subsequent
  - \$2,000 for 1<sup>st</sup> or subsequent if level 0.16 at trial

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 **Section 708.103, T.C.**

- **Surcharge for Conviction of Driving While License Invalid or Without FMFR**
  - \$250 per year

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 **Section 708.104, T.C.**

- **Surcharge for Conviction of Driving Without Valid License**
  - \$100 for not more than three years

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Where do moving violations live?

- **Texas Secretary of State**
  - **State Rules & Open Meetings Tab**
    - **Texas Administrative Code**



[http://images3.wikia.nocookie.net/\\_cb20080623113636/uncroppedbeje/images/6/cc/Bad-driving.jpg](http://images3.wikia.nocookie.net/_cb20080623113636/uncroppedbeje/images/6/cc/Bad-driving.jpg)

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Texas Administrative Code (TAC)

- TAC is a compilation of all state agency rules in Texas.
- There are 16 titles in the TAC.
- Each title represents a category and related agencies are assigned to the appropriate title.

<http://www.sos.state.tx.us/tac/>

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Texas Administrative Code

- TITLE 1 - ADMINISTRATION
- TITLE 4 - AGRICULTURE
- TITLE 7 - BANKING AND SECURITIES
- TITLE 10 - COMMUNITY DEVELOPMENT
- TITLE 13 - CULTURAL RESOURCES
- TITLE 16 - ECONOMIC REGULATION
- TITLE 19 - EDUCATION
- TITLE 22 - EXAMINING BOARDS
- TITLE 25 - HEALTH SERVICES
- TITLE 28 - INSURANCE
- TITLE 30 - ENVIRONMENTAL QUALITY
- TITLE 31 - NATURAL RESOURCES AND CONSERVATION
- TITLE 34 - PUBLIC FINANCE
- **TITLE 37 - PUBLIC SAFETY AND CORRECTIONS**
- TITLE 40 - SOCIAL SERVICES AND ASSISTANCE
- TITLE 43 - TRANSPORTATION

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## Title 37 Public Safety and Corrections

- PART 1 - TEXAS DEPARTMENT OF PUBLIC SAFETY
- PART 3 - TEXAS YOUTH COMMISSION
- PART 4 - ADJUTANT GENERAL'S DEPARTMENT
- PART 5 - TEXAS BOARD OF PARDONS AND PAROLES
- PART 6 - TEXAS DEPARTMENT OF CRIMINAL JUSTICE
- PART 7 - TEXAS COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION
- PART 9 - TEXAS COMMISSION ON JAIL STANDARDS
- PART 11 - TEXAS JUVENILE PROBATION COMMISSION
- PART 13 - TEXAS COMMISSION ON FIRE PROTECTION
- PART 14 - INDEPENDENT OMBUDSMAN
- PART 16 - OFFICE OF VIOLENT SEX OFFENDER MANAGEMENT

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## Part 1 Texas DPS

- CHAPTER 1 - ORGANIZATION AND ADMINISTRATION
- CHAPTER 2 - CAPITOL ACCESS PASS
- CHAPTER 3 - TEXAS HIGHWAY PATROL
- CHAPTER 4 - COMMERCIAL VEHICLE REGULATIONS AND ENFORCEMENT PROCEDURES
- CHAPTER 5 - CRIMINAL LAW ENFORCEMENT
- CHAPTER 6 - LICENSE TO CARRY HANDGUNS
- CHAPTER 7 - DIVISION OF EMERGENCY MANAGEMENT
- CHAPTER 9 - PUBLIC SAFETY COMMUNICATIONS
- CHAPTER 13 - CONTROLLED SUBSTANCES
- CHAPTER 14 - SCHOOL BUS SAFETY STANDARDS
- CHAPTER 15 - DRIVER LICENSE RULES

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## Chap 15. Driver License Rules

- SUBCHAPTER A - LICENSING REQUIREMENTS
- SUBCHAPTER B - APPLICATION REQUIREMENTS--ORIGINAL, RENEWAL, DUPLICATE, IDENTIFICATION CERTIFICATES
- SUBCHAPTER C - EXAMINATION REQUIREMENTS
- SUBCHAPTER D - DRIVER IMPROVEMENT
- SUBCHAPTER E - RECIPROCITY IN DRIVER LICENSING
- SUBCHAPTER F - REGULATIONS IN MAINTAINING DRIVER RECORDS
- SUBCHAPTER G - DENIAL OF RENEWAL OF DRIVER LICENSE FOR FAILURE TO APPEAR FOR TRAFFIC VIOLATION
- SUBCHAPTER H - ADVERTISING
- SUBCHAPTER I - RELEASE OF DRIVER RECORD INFORMATION
- SUBCHAPTER J - DRIVER RESPONSIBILITY PROGRAM
- SUBCHAPTER L - ELECTION IDENTIFICATION CERTIFICATE

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**Subchapter D Driver Improvement**

- § 15.81 - Definition of Terms
- § 15.82 - Notice of Suspension, Disqualification or Revocation, Order of Suspension, Disqualification and Revocation
- § 15.83 - Hearing Requests
- § 15.84 - Hearing
- § 15.85 - Appeals
- § 15.86 - Driver License Denials
- § 15.87 - Cancellation of Driver License
- § 15.88 - Demand for Surrender of Driver License
- **§ 15.89 - Moving Violations**

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**What is a moving violation – TAC?**

- (a) Moving violations are defined as an act committed in connection with the operation of a motor vehicle on a public street or highway, which constitutes a hazard to traffic and is prohibited by state law or city ordinance.




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**TAC Rule 15.89 cont' d**

- (b) A list of traffic offenses that constitute a moving violation is available in Table 1.
- Table 1 also indicates the moving violations that will be assessed points
- (1) Not all moving violations are assessed points

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
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 **TAC Rule 15.89 cont' d**

- (2) Moving violation convictions that are assessed specific surcharges,
  - Intoxicated driver offenses,
  - Driving while license invalid or without financial responsibility,
  - Driving without valid license, no commercial driver license, driving without the proper commercial license endorsement, and driving without the proper motorcycle endorsement,
- Will not be assessed points under the Driver Responsibility Program.

[http://info.sos.state.tx.us/pls/pub/readtac\\$ext.TacPage?sl=R&app=9&p\\_dir=&p\\_rloc=&p\\_tloc=&p\\_ploc=&pg=1&p\\_tac=&ti=37&pt=1&ch=15&rl=89](http://info.sos.state.tx.us/pls/pub/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=37&pt=1&ch=15&rl=89)

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 **How do points work?**

- **Two points for a moving violation conviction**
- **Points will not be assigned for speeding less than 10% over the posted limit or seat belt convictions.**
- **Three points for a moving violation conviction that resulted in a vehicle crash.**

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
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 **Points cont' d**

- **Points remain on the driver record for a period of three years.**
- **DPS will assess a surcharge when the driver accumulates a total of six points or more on their record during a three-year period.**
- **The driver must pay a \$100 surcharge for the first six points and \$25 for each additional point.**

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**Annual Charges**

- Year 1: 1 stop sign + acc = 3 points
- Year 2: 1 speeding, 1 red light = 4 points
- Year 2: Driver owes \$125
- Year 3: No ticket
- Year 3: Driver owes \$125
- Year 4: FYROW = 2 points
- Year 4: Y1 drops, driver owes \$100

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**Is there a difference?**

- Rules of the Road violations consist of:
  - Many laws that pertain to vehicles and traffic governed by the T.C.
  - Certain court costs apply
  - A moving violation if it involves the operation of a motor vehicle



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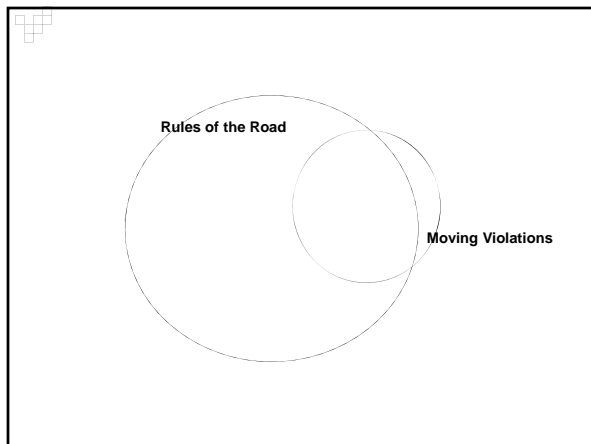
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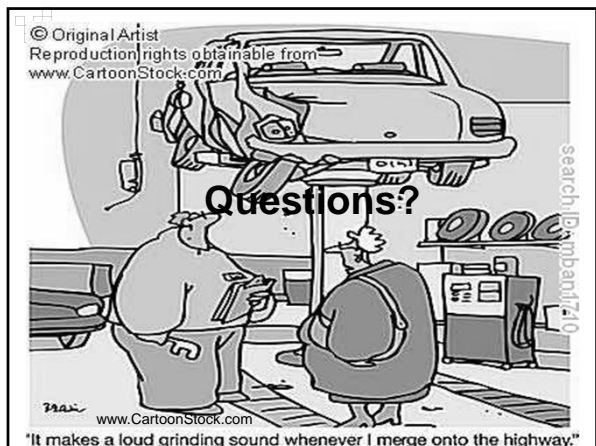
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