

AN ACT

relating to the responsibility of an employer in relation to a person who drives a commercial motor vehicle; providing a criminal penalty.

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

SECTION 1. Section 522.072, Transportation Code, is amended by amending Subsection (a) and adding Subsections (b-1) and (d) to read as follows:

(a) An employer may not knowingly permit a person to drive a commercial motor vehicle during a period in which:

(1) the person:

(A) [~~(1)~~] has been denied the privilege of driving a commercial motor vehicle;

(B) [~~(2)~~] is disqualified from driving a commercial motor vehicle;

(C) [~~(3)~~] is subject to an out-of-service order in a state; or

(D) [~~(4)~~] has more than one commercial driver's license, except during the 10-day period beginning on the date the person is issued a driver's license; or

(2) the employer is subject to an out-of-service order that affects the driver or the vehicle.

(b-1) An employer who violates Subsection (a) or (b) commits an offense. An offense under this subsection is a Class B

1 misdemeanor.

2 (d) For purposes of Subsections (a)(1)(C) and (a)(2),
3 "commercial motor vehicle" has the meaning assigned by Section
4 644.001.

5 SECTION 2. The change in law made by this Act applies only
6 to an offense committed on or after the effective date of this Act.
7 An offense committed before the effective date of this Act is
8 governed by the law in effect when the offense was committed, and
9 the former law is continued in effect for that purpose. For
10 purposes of this section, an offense was committed before the
11 effective date of this Act if any element of the offense was
12 committed before that date.

13 SECTION 3. This Act takes effect September 1, 2007.

S.B. No. 332

David Newkirk
President of the Senate

Jim Coady
Speaker of the House

I hereby certify that S.B. No. 332 passed the Senate on March 13, 2007, by the following vote: Yeas 29, Nays 0.

Patsy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 332 passed the House on April 5, 2007, by the following vote: Yeas 137, Nays 0, two present not voting.

Robert Hamey
Chief Clerk of the House

Approved:

23 APR '07
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:00 PM O'CLOCK

APR 23 2007
Roger Hummel