

TITLE 7. VEHICLES AND TRAFFIC
SUBTITLE C. RULES OF THE ROAD
CHAPTER 550. ACCIDENTS AND ACCIDENT REPORTS
SUBCHAPTER A. GENERAL PROVISIONS

Sec. 550.001. APPLICABILITY OF CHAPTER. This chapter applies only to:

- (1) a road owned and controlled by a water control and improvement district;
- (2) a private access way or parking area provided for a client or patron by a business, other than a private residential property, or the property of a garage or parking lot for which a charge is made for storing or parking a motor vehicle; and
- (3) a highway or other public place.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

SUBCHAPTER B. DUTIES FOLLOWING ACCIDENT

Sec. 550.021. ACCIDENT INVOLVING PERSONAL INJURY OR DEATH. (a) The operator of a vehicle involved in an accident resulting in injury to or death of a person shall:

- (1) immediately stop the vehicle at the scene of the accident or as close to the scene as possible;
- (2) immediately return to the scene of the accident if the vehicle is not stopped at the scene of the accident; and
- (3) remain at the scene of the accident until the operator complies with the requirements of Section 550.023.

(b) An operator of a vehicle required to stop the vehicle by Subsection (a) shall do so without obstructing traffic more than is necessary.

(c) A person commits an offense if the person does not stop or does not comply with the requirements of this section. An offense under this section is punishable by:

- (1) imprisonment in the institutional division of the Texas Department of Criminal Justice for not more than five years or confinement in the county jail for not more than one year;
- (2) a fine not to exceed \$5,000; or
- (3) both the fine and the imprisonment or confinement.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 550.022. ACCIDENT INVOLVING DAMAGE TO VEHICLE. (a) Except as provided by Subsection (b), the operator of a vehicle involved in an accident resulting only in damage to a vehicle that is driven or attended by a person shall:

- (1) immediately stop the vehicle at the scene of the accident or as close as possible to the scene of the accident without obstructing traffic more than is necessary;
- (2) immediately return to the scene of the accident if the vehicle is not stopped at the scene of the accident; and
- (3) remain at the scene of the accident until the operator complies with the requirements of Section 550.023.

(b) If an accident occurs on a main lane, ramp, shoulder, median, or adjacent area of a freeway in a metropolitan area and each vehicle involved can be normally and safely driven, each operator shall move the operator's vehicle as soon as possible to a designated accident investigation site, if available, a location on the frontage road, the nearest suitable cross street, or other suitable location to complete the requirements of Section 550.023 and minimize interference with freeway traffic.

(c) A person commits an offense if the person does not stop or does not comply with the requirements of Subsection (a). An offense under this subsection is:

- (1) a Class C misdemeanor, if the damage to all vehicles is less than \$200; or
- (2) a Class B misdemeanor, if the damage to all vehicles is \$200 or more.

(c-1) A person commits an offense if the person does not comply with the requirements of Subsection (b). An offense under this subsection is a Class C misdemeanor.

(d) In this section, a vehicle can be normally and safely driven only if the vehicle:

- (1) does not require towing; and
- (2) can be operated under its own power and in its usual manner, without additional damage or hazard to the vehicle, other traffic, or the roadway.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2005, 79th Leg., ch. 1066, Sec. 1, eff. Sept. 1, 2005.

Sec. 550.023. DUTY TO GIVE INFORMATION AND RENDER AID. The operator of a vehicle involved in an accident resulting in the

injury or death of a person or damage to a vehicle that is driven or attended by a person shall:

(1) give the operator's name and address, the registration number of the vehicle the operator was driving, and the name of the operator's motor vehicle liability insurer to any person injured or the operator or occupant of or person attending a vehicle involved in the collision;

(2) if requested and available, show the operator's driver's license to a person described by Subdivision (1); and

(3) provide any person injured in the accident reasonable assistance, including transporting or making arrangements for transporting the person to a physician or hospital for medical treatment if it is apparent that treatment is necessary, or if the injured person requests the transportation.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 550.024. DUTY ON STRIKING UNATTENDED VEHICLE. (a) The operator of a vehicle that collides with and damages an unattended vehicle shall immediately stop and:

(1) locate the operator or owner of the unattended vehicle and give that person the name and address of the operator and the owner of the vehicle that struck the unattended vehicle; or

(2) leave in a conspicuous place in, or securely attach in a plainly visible way to, the unattended vehicle a written notice giving the name and address of the operator and the owner of the vehicle that struck the unattended vehicle and a statement of the circumstances of the collision.

(b) A person commits an offense if the person violates Subsection (a). An offense under this section is:

(1) a Class C misdemeanor, if the damage to all vehicles involved is less than \$200; or

(2) a Class B misdemeanor, if the damage to all vehicles involved is \$200 or more.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 550.025. DUTY ON STRIKING FIXTURE OR HIGHWAY LANDSCAPING. (a) The operator of a vehicle involved in an accident resulting only in damage to a fixture or landscaping legally on or adjacent to a highway shall:

(1) take reasonable steps to locate and notify the owner or person in charge of the property of the accident and of the operator's name and address and the registration number of the vehicle the operator was driving;

(2) if requested and available, show the operator's driver's license to the owner or person in charge of the property; and

(3) report the accident if required by Section 550.061.

(b) A person commits an offense if the person violates Subsection (a). An offense under this section is:

(1) a Class C misdemeanor, if the damage to all fixtures and landscaping is less than \$200; or

(2) a Class B misdemeanor, if the damage to all fixtures and landscaping is \$200 or more.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 550.026. IMMEDIATE REPORT OF ACCIDENT. (a) The operator of a vehicle involved in an accident resulting in injury to or death of a person or damage to a vehicle to the extent that it cannot be normally and safely driven shall immediately by the quickest means of communication give notice of the accident to the:

(1) local police department if the accident occurred in a municipality;

(2) local police department or the sheriff's office if the accident occurred not more than 100 feet outside the limits of a municipality; or

(3) sheriff's office or the nearest office of the department if the accident is not required to be reported under Subdivision (1) or (2).

(b) If a section of road is within 100 feet of the limits of more than one municipality, the municipalities may agree regarding the maintenance of reports made under Subsection (a)(2). A county may agree with municipalities in the county regarding the maintenance of reports made under Subsection (a)(2). An agreement under this subsection does not affect the duty to report an accident under Subsection (a).

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

SUBCHAPTER C. INVESTIGATION OF ACCIDENT

Sec. 550.041. INVESTIGATION BY PEACE OFFICER. (a) A peace officer who is notified of a motor vehicle accident resulting in injury to or death of a person or property damage to an apparent extent of at least \$1,000 may investigate the accident and file justifiable charges relating to the accident without regard to whether the accident occurred on property to which this chapter applies.

(b) This section does not apply to:

(1) a privately owned residential parking area; or

(2) a privately owned parking lot where a fee is charged for parking or storing a vehicle.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 531, Sec. 1, eff. Sept. 1, 2001.

SUBCHAPTER D. WRITTEN ACCIDENT REPORT

Sec. 550.061. OPERATOR'S ACCIDENT REPORT. (a) The operator of a vehicle involved in an accident shall make a written report of the accident if the accident is not investigated by a law enforcement officer and the accident resulted in injury to or the death of a person or damage to the property of any one person to an apparent extent of \$1,000 or more.

(b) The report required by Subsection (a) must be filed with the department not later than the 10th day after the date of the accident.

(c) A person commits an offense if the person does not file the report with the department as required by this section.

(d) Venue for the prosecution of an offense under this section is in the county in which the accident occurred.

(e) The department may require:

(1) the operator of a vehicle involved in an accident in which a report is required by this section to file a supplemental report if the department considers the original report insufficient; and

(2) a witness of an accident to make a report with the department.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 531, Sec. 2, eff. Sept. 1, 2001.

Sec. 550.062. OFFICER'S ACCIDENT REPORT. (a) A law enforcement officer who in the regular course of duty investigates a motor vehicle accident shall make a written report of the accident if the accident resulted in injury to or the death of a person or damage to the property of any one person to the apparent extent of \$1,000 or more.

(b) The report required by Subsection (a) must be filed with the department not later than the 10th day after the date of the accident.

(c) This section applies without regard to whether the officer investigates the accident at the location of the accident and immediately after the accident or afterwards by interviewing those involved in the accident or witnesses to the accident.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 531, Sec. 3, eff. Sept. 1, 2001.

Sec. 550.063. REPORT ON APPROPRIATE FORM. A person who is required to file a written accident report shall report on the appropriate form approved by the department and shall disclose all information required by the form unless the information is not available.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 550.064. ACCIDENT REPORT FORMS. (a) The department shall prepare and when requested supply to police departments, coroners, sheriffs, garages, and other suitable agencies or individuals the accident report forms appropriate for the persons required to make a report and appropriate for the purposes to be served by those reports.

(b) An accident report form prepared by the department must:

(1) require sufficiently detailed information to disclose the cause and conditions of and the persons and vehicles involved in an accident if the form is for the report to be made by a person involved in or investigating the accident;

(2) include a way to designate and identify a peace officer, firefighter, or emergency medical services employee who during an emergency is involved in an accident while driving a law enforcement vehicle, fire department vehicle, or emergency medical services vehicle while performing the person's duties;

(3) require a statement by a person described by Subdivision (2) as to the nature of the emergency; and

(4) include a way to designate whether an individual involved in an accident wants to be contacted by a person seeking to obtain employment as a professional described by Section 38.01(12), Penal Code.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 750, Sec. 3, eff. Sept. 1, 1997.

Sec. 550.065. RELEASE OF CERTAIN INFORMATION RELATING TO ACCIDENTS. (a) This section applies only to information that is held by the department or another governmental entity and relates to a motor vehicle accident reported under this chapter or Section 601.004.

(b) Except as provided by Subsection (c), the information is privileged and for the confidential use of:

(1) the department; and

(2) an agency of the United States, this state, or a local government of this state that has use for the information for accident prevention purposes.

(c) On written request and payment of any required fee, the department or the governmental entity shall release the information to:

(1) an entity described by Subsection (b);

(2) the law enforcement agency that employs the peace officer who investigated the accident and sent the information to the department;

(3) the court in which a case involving a person involved in the accident is pending if the report is subpoenaed; or

(4) a person who provides the department or governmental entity with two or more of the following:

(A) the date of the accident;

(B) the specific address or the highway or street where the accident occurred; or

(C) the name of any person involved in the accident.

(d) The fee for a copy of the report or accident information is \$6 or the actual cost of the preparation of the copy, whichever is less. The copy may be certified by the department or the governmental entity for an additional fee of \$2. The department or the governmental entity may issue a certification that no report or information is on file for a fee of \$6.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 165, Sec. 30.125(a), eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1187, Sec. 13, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 1032, Sec. 5, eff. Sept. 1, 2001.

Sec. 550.066. ADMISSIBILITY OF CERTAIN ACCIDENT REPORT INFORMATION. An individual's response to the information requested on an accident report form as provided by Section 550.064(b)(4) is not admissible evidence in a civil trial.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 550.067. MUNICIPAL AUTHORITY TO REQUIRE ACCIDENT REPORTS. (a) A municipality by ordinance may require the operator of a vehicle involved in an accident to file with a designated municipal department:

(1) a report of the accident, if the accident results in injury to or the death of a person or the apparent total property damage is \$25 or more; or

(2) a copy of a report required by this chapter to be filed with the department.

(b) A report filed under Subsection (a) is for the confidential use of the municipal department and subject to the provisions of Section 550.065.

(c) A municipality by ordinance may require the person in charge of a garage or repair shop where a motor vehicle is brought if the vehicle shows evidence of having been involved in an accident requiring a report to be filed under Section 550.061 or 550.062 or shows evidence of having been struck by a bullet to report to a department of the municipality within 24 hours after the garage or repair shop receives the motor vehicle, giving the engine number, registration number, and the name and address of the owner or operator of the vehicle.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 550.068. CHANGING ACCIDENT REPORT. (a) Except as provided by Subsection (b), a change in or a modification of a written report of a motor vehicle accident prepared by a peace officer or the operator of a vehicle involved in an accident that alters a material fact in the report may be made only by the peace

officer or person who prepared the report.

(b) A change in or a modification of the written report of the accident may be made by a person other than the peace officer or the operator of the vehicle if:

(1) the change is made by a written supplement to the report; and

(2) the written supplement clearly indicates the name of the person who originated the change.

Added by Acts 1997, 75th Leg., ch. 214, Sec. 1, eff. Sept. 1, 1997.

SUBCHAPTER E. OTHER REPORTS

Sec. 550.081. CORONER'S REPORT. A coroner or other officer performing similar functions shall, not later than the 10th day of each month:

(1) report in writing to the department the death of a person within the officer's jurisdiction during the preceding calendar month as the result of a traffic accident; and

(2) include in the report the time, place, and circumstances of the accident.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.