

# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 29, 2009  
Date

Honorable David Dewhurst  
President of the Senate

Honorable Joe Straus  
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on 3 HB 548 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

J. Carina

CARINA

Wendy Davis

DAVIS

HUFFMAN

Robert Lee Nichols

NICHOLS

William Watson

On the part of the Senate

WATSON

Joe E. Pickett

Pickett

Ken Guille

Guille

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MERRITT

TODD SMITH

Callegari

On the part of the House

CALLEGARI

## Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

H.B. No. 548

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the impoundment of certain motor vehicles involved in  
3 the commission of the offense of racing on a highway.

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

5 SECTION 1. Section 545.420, Transportation Code, is amended  
6 by adding Subsection (i) to read as follows:

7 (i) This subsection applies only to a motor vehicle used in  
8 the commission of an offense under this section that results in an  
9 accident with property damage or personal injury. A peace officer  
10 shall require the vehicle to be taken to the nearest licensed  
11 vehicle storage facility unless the vehicle is seized as evidence,  
12 in which case the vehicle may be taken to a storage facility as  
13 designated by the peace officer involved. Notwithstanding Article  
14 18.23, Code of Criminal Procedure, the owner of a motor vehicle that  
15 is removed or stored under this subsection is liable for all removal  
16 and storage fees incurred and is not entitled to take possession of  
17 the vehicle until those fees are paid.

18 SECTION 2. The change in law made by this Act applies only  
19 to an offense committed on or after the effective date of this Act.  
20 An offense committed before the effective date of this Act is  
21 covered by the law in effect immediately before the effective date  
22 of this Act, and the former law is continued in effect for that  
23 purpose. For purposes of this section, an offense was committed  
24 before the effective date of this Act if any element of the offense

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1 was committed before that date.

2 SECTION 3. This Act takes effect September 1, 2009.

**House Bill 548**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 545.420, Transportation Code, is amended by adding Subsection (i). Among other provisions, requires a peace officer to require a motor vehicle used in the commission of an offense of racing on a highway that results in an accident with property damage or personal injury to be taken to the nearest licensed vehicle storage facility.

SECTION 2. Saving provision.

SECTION 3. This Act takes effect September 1, 2009.

SENATE VERSION

SECTION 1. Same as House version, except adds an exception to the requirement for a vehicle that is seized as evidence, in which case the vehicle is authorized to be taken to a storage facility as designated by the peace officer involved.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE

SECTION 1. Substantially the same as Senate version.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 30, 2009**

**TO: Honorable David Dewhurst , Lieutenant Governor, Senate  
Honorable Joe Straus, Speaker of the House, House of Representatives**

**FROM: John S. O'Brien, Director, Legislative Budget Board**

**IN RE: HB548 by Pickett (Relating to the impoundment of certain motor vehicles involved in the commission of the offense of racing on a highway.), Conference Committee Report**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

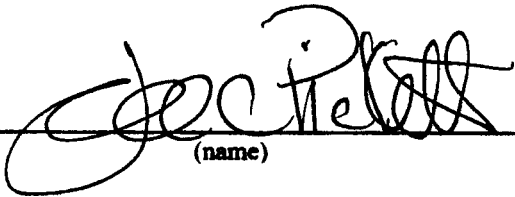
**Source Agencies: 405 Department of Public Safety**

**LBB Staff: JOB, MN, KJG, DB**

## Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on H. B. 548 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.

  
\_\_\_\_\_  
(name)

5/30/09  
\_\_\_\_\_  
(date)