

CHAPTER 497

H.B. No. 116

AN ACT

relating to law enforcement efforts to prevent transportation of stolen vehicles and heavy equipment into Mexico and to prevent theft of vehicles and heavy equipment.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter A, Chapter 411, Government Code, is amended by adding Section 411.0095 to read as follows:

Sec. 411.0095. LOCAL COOPERATION FOR VEHICLE THEFT CHECKPOINTS. (a) The department may establish a program in conjunction with local law enforcement authorities for the purpose of establishing checkpoints to prevent stolen vehicles, farm tractors or implements, or construction equipment from entering Mexico.

(b) A checkpoint may be established for the purpose of preventing stolen vehicles, farm tractors or implements, or construction equipment from entering Mexico if the checkpoint is:

- (1) located within 250 feet of the Mexican border;*
- (2) located on a public highway or street leading directly to an international crossing;*
and
- (3) designed to stop only traffic bound for Mexico.*

(c) The department and local law enforcement authorities may share the cost of staffing the checkpoints.

(d) The department shall establish procedures governing the encounter between the driver and the peace officers operating the checkpoint that ensure that any intrusion on the driver is minimized and that the inquiries made are reasonably related to the purpose of the checkpoint. A peace officer at the checkpoint may not direct a driver or a passenger in a motor vehicle to leave the vehicle or move the vehicle off the roadway unless the officer has reasonable suspicion or probable cause to believe that the person committed or is committing an offense. However, a peace officer may require that each motor vehicle passing through the checkpoint be diverted to a location immediately adjacent to the roadway, if desirable, to ensure safety.

(e) In this section, "vehicle" has the meaning assigned by Section 2, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes).

SECTION 2. Article XIII, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes), is amended by adding Section 107F to read as follows:

Sec. 107F. IDENTIFICATION REQUIRED FOR VEHICLE NEAR MEXICAN BORDER. On the demand of a peace officer within 250 feet of the Mexican border at a

checkpoint authorized by Section 411.0095, Government Code, a driver of a vehicle shall produce a valid driver's license and proof of compliance with the Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes).

SECTION 3. This Act takes effect September 1, 1993.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on March 1, 1993, by a non-record vote; passed by the Senate on May 22, 1993: Yeas 31, Nays 0.

Approved June 3, 1993.

Effective Sept. 1, 1993.