

- SUBJECT:** Exempting certain enforcement costs for applicable local authorities
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 9 ayes — Canales, Landgraf, Bernal, Y. Davis, Hefner, Krause, Leman, Martinez, Ortega
- 0 nays
- 4 absent — Goldman, Raney, Thierry, E. Thompson
- WITNESSES:** For — Don Egdorf, Houston Police Department; (*Registered, but did not testify*: JJ Rocha, Texas Municipal League; Mitch Landry, Texas Municipal Police Association)
- Against — None
- BACKGROUND:** Transportation Code sec. 545.425 prohibits the use of a wireless communication device while operating a motor vehicle within a school crossing zone, unless the vehicle is stopped or the communication device is hands-free.
- A municipality, county, or other political subdivision that enforces this section is required to post signs at the entrance to each school crossing zone in the subdivision informing drivers that the use of a communications device is prohibited in the school crossing zone and that a driver who violated this prohibition would be subject to a fine.
- If a municipality, county, or other political subdivision prohibits the use of a wireless communication device while operating a motor vehicle throughout the subdivision's jurisdiction, the subdivision is not required to post a sign at each school crossing zone. Instead, the jurisdiction must post signs at other points as specified in statute informing drivers that the use of wireless communication devices is prohibited and violations are subject to a fine.

Some suggest that some local entities required to install signs lack the resources to pay for the signs and their installation.

DIGEST:

HB 771 would revise the list of entities responsible for posting or approving the posting of signs required under Transportation Code sec. 545.425 to a local authority with jurisdiction over a school crossing zone.

The local authority would have to pay the costs associated with the required posting of the signs unless the authority entered into an agreement providing otherwise.

The bill would take effect September 1, 2019.