

## **BILL ANALYSIS**

Senate Research Center  
78R11240 JRJ-D

H.B. 771  
By: Giddings (Deuell)  
Education  
5/22/2003  
Engrossed

### **DIGEST AND PURPOSE**

Under current law, drivers are not prohibited from using telephones while operating a school bus. Using a cell phone while driving a school bus could possibly endanger the lives of school children and other motorists on the road. H.B.771 prohibits a bus driver from using a telephone while operating a bus except in certain emergency circumstances.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter I, Chapter 545, Transportation Code, by adding Section 545.425, as follows:

Sec. 545.425. USE OF TELEPHONE WHILE OPERATING SCHOOL BUS. (a)  
Prohibits an operator of a school bus from using a telephone while operating the school bus.

(b) Provides that it is an affirmative defense to prosecution of an offense under this section that the telephone was used to make an emergency call to or receive a call from locations or persons.

SECTION 2. Effective date: September 1, 2003.