

BILL ANALYSIS

Senate Research Center

H.B. 347
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Transportation
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, drivers are prohibited from using cell phones in a school crossing zone unless the vehicle is stopped, or they are using a hands-free device. However, areas on school property such as pick-up and drop-off lanes or parking lots are excluded. This unnecessarily places young students at risk of being hit by a distracted driver. According to the Centers for Disease Control and Prevention, more than nine people are killed and more than 1,600 people are injured every day in the United States as a result of distracted driving, which includes using a cell phone.

H.B. 347 expands the current limitations on cell phone use in a school crossing zone to the property of a public elementary, middle, or junior high school for which a local authority has designated a school crossing zone. Cell phone use will only be restricted during the time a reduced speed limit is in effect for the school crossing zone. Further, it will not apply to vehicles that are stopped, or to drivers using a hands-free device. This bill will improve safety and reduce the risks posed to young students in Texas by distracted drivers.

H.B. 347 amends current law relating to prohibiting using a wireless communication device while operating a motor vehicle on school property.

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 Section 545.425(b), Transportation Code, as follows:

(b) Prohibits a person who drives or has physical control of a vehicle (operator), except as provided by Subsection (c) (prohibiting an operator from using a wireless communication device while operating a passenger bus with a minor passenger on the bus unless the passenger bus is stopped), from using a wireless communication device while operating a motor vehicle:

(1) in a school crossing zone, as defined by Section 541.302 (Traffic Areas), Transportation Code, unless the vehicle is stopped, or the wireless communication device is used with a hands-free device; or

(2) on the property of a public elementary, middle, or junior high school for which a county, municipality, or other local entity authorized to enact traffic laws under the laws of this state or a school district created under the laws of this state only when it is designating school crossing guards for schools operated by the district (local authority) has designated a school crossing zone, during the time a reduced speed limit is in effect for the school crossing zone, unless the vehicle is stopped, or the wireless communication device is used with a hands-free device.

Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2013.