

By: Giddings

H.B. No. 771

Substitute the following for H.B. No. 771:

By: Madden

C.S.H.B. No. 771

A BILL TO BE ENTITLED

AN ACT

relating to the creation of an offense of using a telephone while operating a school bus.

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

SECTION 1. Subchapter I, Chapter 545, Transportation Code, is amended by adding Section 545.425 to read as follows:

Sec. 545.425. USE OF TELEPHONE WHILE OPERATING SCHOOL BUS.

(a) An operator of a school bus may not use a telephone while operating the school bus.

(b) 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:

(1) an emergency response service, including a rescue, emergency medical, or hazardous material response service;

(2) a hospital;

(3) a fire department;

(4) a health clinic;

(5) a medical doctor's office;

(6) an individual to administer first aid treatment;

(7) a police department; or

(8) a school bus dispatcher or other school district personnel.

SECTION 2. This Act takes effect September 1, 2003.