

By: Menendez, Cook of Navarro

H.B. No. 1094

A BILL TO BE ENTITLED

1 AN ACT

2 relating to an offense of using a wireless communications device
3 while operating a motor vehicle by certain minors.

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

5 SECTION 1. Sections 545.424(a) and (b), Transportation
6 Code, are amended to read as follows:

7 (a) A person under 18 years of age, during the six-month
8 period following issuance of an original Class A, B, or C driver's
9 license to the person, may not operate a motor vehicle:

10 (1) after midnight and before 5 a.m. unless the
11 operation of the vehicle is necessary for the operator to attend or
12 participate in employment or a school-related activity or because
13 of a medical emergency; ~~or~~

14 (2) with more than one passenger in the vehicle under
15 21 years of age who is not a family member; or

16 (3) while using a wireless communications device.

17 (b) A person under 17 years of age who holds a restricted
18 motorcycle license or moped license, during the six-month period
19 following the issuance of an original motorcycle license or moped
20 license to the person, may not operate a motorcycle or moped:

21 (1) after midnight and before 5 a.m. unless:

22 (A) ~~[(1)]~~ the person is in sight of the person's
23 parent or guardian; or

24 (B) ~~[(2)]~~ the operation of the vehicle is

1 necessary for the operator to attend or participate in employment
2 or a school-related activity or because of a medical emergency; or
3 (2) while using a wireless communications device.

4 SECTION 2. This Act takes effect September 1, 2005.