

By: Wentworth

S.B. No. 153

A BILL TO BE ENTITLED

AN ACT

relating to the creation of an offense involving the supervision of a vehicle operator holding an instruction permit.

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

SECTION 1. Section 521.222, Transportation Code, is amended by adding Subsections (g) and (h) to read as follows:

(g) A person who occupies the seat in a vehicle by a holder of an instruction permit commits an offense if, while the holder is operating the vehicle, the person:

(1) sleeps;

(2) is intoxicated, as defined by Section 49.01, Penal Code; or

(3) is engaged in an activity that prevents the person from observing and responding to the actions of the operator.

(h) It is a defense to prosecution of a violation under Subsection (g) that at the time of the violation another person in addition to the defendant:

(1) occupied the seat by the operator;

(2) complied with the requirements of Subsections (d)(2)(A)-(C); and

(3) was not in violation of Subsection (g).

SECTION 2. This Act takes effect September 1, 2007.