

1-1 By: Wentworth S.B. No. 153  
1-2 (In the Senate - Filed December 15, 2006; January 29, 2007,  
1-3 read first time and referred to Committee on Transportation and  
1-4 Homeland Security; February 13, 2007, reported adversely, with  
1-5 favorable Committee Substitute by the following vote: Yeas 8,  
1-6 Nays 0; February 13, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 153 By: Wentworth

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the creation of an offense involving the supervision of  
1-11 a vehicle operator holding an instruction permit.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 521.222, Transportation Code, is amended  
1-14 by adding Subsections (g) and (h) to read as follows:

1-15 (g) A person who occupies the seat in a vehicle by a holder  
1-16 of an instruction permit commits an offense if, while the holder is  
1-17 operating the vehicle, the person:

1-18 (1) sleeps;

1-19 (2) is intoxicated, as defined by Section 49.01, Penal  
1-20 Code; or

1-21 (3) is engaged in an activity that prevents the person  
1-22 from observing and responding to the actions of the operator.

1-23 (h) It is a defense to prosecution of a violation under  
1-24 Subsection (g) that at the time of the violation another person in  
1-25 addition to the defendant:

1-26 (1) occupied the seat by the operator;

1-27 (2) complied with the requirements of Subsections  
1-28 (d)(2)(A)-(C); and

1-29 (3) was not in violation of Subsection (g).

1-30 SECTION 2. This Act takes effect September 1, 2007.

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