

## **BILL ANALYSIS**

C.S.H.B. 662  
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Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Over the past several years, wireless communication devices have become ubiquitous and their use has increased significantly. Meanwhile, talking on a cell phone or texting while driving has become a dangerous trend, especially among younger drivers. Nearly four out of five American teens own a cell phone, and a recent study found that 46 percent of teens who are 16 and 17 years old admitted to texting while driving. Current studies also indicate that the use of wireless communication devices while driving has the potential to be a significant distraction, impeding driver awareness and reaction time. One study even suggests that driving while texting is riskier than driving under the influence of drugs or alcohol.

C.S.H.B. 662 prohibits a driver under 18 years of age from using a wireless communications device while driving, unless the device is used in the event of an emergency or with a hands-free device. The substitute provides that a violation of this section does not count against the teen's driving record. C.S.H.B. 662 reduces the risk of automobile accidents and unsafe driving among young drivers and gives parents another tool to help encourage young drivers to develop safe driving habits they will practice in adulthood.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 662 amends the Transportation Code to prohibit a person under 18 years of age who holds a Class A, B, or C driver's license and a person under 17 years of age who holds a restricted Class M or moped license, rather than such a person during the six-month period following issuance of the original license to the person, from operating a motor vehicle or motorcycle or moped, respectively, while using a wireless communications device unless the device is used with a hands-free device or in case of an emergency. The bill prohibits a justice of the peace or municipal judge from submitting a written record of a conviction under the law relating to the operation of a motor vehicle by a person under 18 years of age. The bill defines "hands-free device" for purposes of the bill.

### **EFFECTIVE DATE**

September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 662 adds a provision not in the original to prohibit a justice of the peace or municipal judge from submitting a written record of a conviction under the law relating to the operation of a motor vehicle by a person under 18 years of age.