

By: Vo

H.B. No. 1207

A BILL TO BE ENTITLED

AN ACT

relating to the creation of an offense for certain uses of a wireless communication device while operating certain vehicles.

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

SECTION 1. Section 545.425, Transportation Code, is amended to read as follows:

Sec. 545.425. USE OF WIRELESS COMMUNICATION DEVICE [~~BY CERTAIN MOTORISTS~~]. (a) An operator [A person] may not use a wireless communication device while operating a passenger bus with a minor passenger on the bus except in case of emergency or if the passenger bus is stopped [not in motion].

(b) Unless the vehicle is stopped, an operator may not use a wireless communication device to read, write, or send a text-based communication while operating on a highway:

- (1) a motor vehicle, including a moped;
- (2) a bicycle or electric bicycle; or
- (3) an electric personal assistive mobility device, as defined by Section 551.201.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the

H.B. No. 1207

1 effective date of this Act if any element of the offense was  
2 committed before that date.

3       SECTION 3. This Act takes effect September 1, 2009.