

By: Craddick, Martinez Fischer, Brown, Cook,  
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H.B. No. 243

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the creation of an offense for certain uses of a  
3 wireless communication device while operating a motor vehicle.

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

5 SECTION 1. This Act may be cited as the Alex Brown Memorial  
6 Act.

7 SECTION 2. Section 545.425(a), Transportation Code, is  
8 amended by adding Subdivision (1-a) to read as follows:

9 (1-a) "Text-based communication" means a  
10 communication sent from a wireless communication device for the  
11 purpose of manually communicating with another person in a written  
12 medium. The term does not include a text-based communication that  
13 is voice-activated and displayed in a manner that allows the driver  
14 to view the material on the dashboard or above the steering wheel.  
15 The term includes:

- 16 (A) a text message;  
17 (B) an instant message; and  
18 (C) e-mail.

19 SECTION 3. Section 545.425, Transportation Code, is amended  
20 by amending Subsection (b-1) and adding Subsection (c-1) to read as  
21 follows:

22 (b-1) A municipality, county, or other political  
23 subdivision that enforces Subsection (b) [~~this section~~] shall post  
24 a sign that complies with the standards described by this

1 subsection at the entrance to each school crossing zone in the  
2 municipality, county, or other political subdivision. The  
3 department shall adopt standards that:

4 (1) allow for a sign required to be posted under this  
5 subsection to be attached to an existing sign at a minimal cost; and

6 (2) require that a sign required to be posted under  
7 this subsection inform an operator that:

8 (A) the use of a wireless communication device is  
9 prohibited in the school crossing zone; and

10 (B) the operator is subject to a fine if the  
11 operator uses a wireless communication device in the school  
12 crossing zone.

13 (c-1) An operator may not use a wireless communication  
14 device to write or send a text-based communication while operating  
15 a motor vehicle unless the vehicle is stopped.

16 SECTION 4. This Act takes effect September 1, 2011.