

By: Phillips

H.B. No. 2466

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and operation of motor vehicles by minors.

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

SECTION 1. Subchapter N, Chapter 521, Transportation Code, is amended by adding Section 521.2965 to read as follows:

Sec. 521.2965. REVOCATION: PERSON UNDER 18 YEARS OF AGE.

(a) Unless the person complies with the requirements of Subsection (b), the department shall revoke the license of a person under 18 years of age who is enrolled at a public school, home school, or private school if:

(1) the person's parent or guardian notifies the department that the person has been absent from school for at least 10 consecutive instructional days; or

(2) a school administrator or law enforcement officer notifies the department that the person has been absent from school for at least 20 consecutive instructional days.

(b) The department shall notify the person in writing of a truancy report made against the person under Subsection (a). The revocation of a license by the department under this section becomes effective on the 30th day after the date of the notice, unless before that date the person provides to the department information required by the department to demonstrate the person's school attendance.

1        (c) The notice provided to a person under Subsection (b)  
2 must:

3            (1) state that the revocation becomes effective on the  
4 30th day after the date of the notice; and

5            (2) contain information regarding the procedures and  
6 documentation that the person may provide to the department in  
7 order to avoid the revocation of the person's license.

8        SECTION 2. Section 545.424, Transportation Code, is amended  
9 by amending Subsections (a) and (b) and adding Subsections (a-1)  
10 and (b-1) to read as follows:

11        (a) A person under 18 years of age may not operate a motor  
12 vehicle while using a wireless communications device, except in  
13 case of emergency.

14        (a-1) A person under 18 years of age may not operate a motor  
15 vehicle~~+~~

16            ~~[(1)]~~ during the 12-month period following issuance of  
17 an original Class A, B, or C driver's license to the person:

18            (1) [(A)] after midnight and before 5 a.m. unless the  
19 operation of the vehicle is necessary for the operator to attend or  
20 participate in employment or a school-related activity or because  
21 of a medical emergency; or

22            (2) [(B)] with more than one passenger in the vehicle  
23 under 21 years of age who is not a family member ~~[, or~~

24            ~~[(2) while using a wireless communications device,~~  
25 ~~except in case of emergency].~~

26        (b) A person under 17 years of age who holds a restricted  
27 motorcycle license or moped license may not operate a motorcycle or

1 moped while using a wireless communications device, except in case  
2 of emergency.

3 (b-1) A person under 17 years of age who holds a restricted  
4 motorcycle license or moped license, during the 12-month period  
5 following the issuance of an original motorcycle license or moped  
6 license to the person, may not operate a motorcycle or moped[+]

7 ~~[(1)]~~ after midnight and before 5 a.m. unless:

8 (1) [(A)] the person is in sight of the person's parent  
9 or guardian; or

10 (2) [(B)] the operation of the vehicle is necessary  
11 for the operator to attend or participate in employment or a  
12 school-related activity or because of a medical emergency[+~~or~~

13 ~~[(2) while using a wireless communications device,~~  
14 ~~except in case of emergency].~~

15 SECTION 3. Section 521.271(a-1), Transportation Code, is  
16 repealed.

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