

BILL ANALYSIS

H.B. 347
By: Pitts
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, a person is prohibited from using a cell phone while operating a motor vehicle within a school crossing zone, but concerned parties report that students and staff have narrowly escaped injury as a result of people using cell phones on school grounds, in areas such as a drop-off and pick-up lane or a school parking lot. Some local prosecutors have expressed concern that municipal and district police departments are unable to adequately protect students by enforcing the prohibition on school property because the law does not specify that enforcement is legal other than on a public roadway within the marked school zone boundaries. H.B. 347 seeks to provide additional protection to students and staff on school grounds by specifying that drivers are prohibited from using a cell phone on school property.

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

H.B. 347 amends the Transportation Code to expand the conduct that constitutes a misdemeanor offense involving an operator using a wireless communication device while operating a motor vehicle to include performing that activity on the property of a public or private elementary or middle school, unless the vehicle is stopped or the wireless communication device is used with a hands-free device.

EFFECTIVE DATE

September 1, 2013.