

By: Craddick, Martinez Fischer, Brown, Cook,
Menendez, et al.

H.B. No. 243

Substitute the following for H.B. No. 243:

By: Rodriguez

C.S.H.B. No. 243

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

(1-a) "Text-based communication" means a
communication sent from a wireless communication device for the
purpose of manually communicating with another person in a written
medium. The term includes:

(A) a text message;

(B) an instant message; and

(C) e-mail.

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

(b-1) A municipality, county, or other political
subdivision that enforces Subsection (b) ~~[this section]~~ shall post
a sign that complies with the standards described by this
subsection at the entrance to each school crossing zone in the
municipality, county, or other political subdivision. The
department shall adopt standards that:

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

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

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

7 (B) the operator is subject to a fine if the
8 operator uses a wireless communication device in the school
9 crossing zone.

10 (c-1) An operator may not use a wireless communication
11 device to read, write, or send a text-based communication while
12 operating a motor vehicle unless the vehicle is stopped.

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