

BILL ANALYSIS

Senate Research Center
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S.B. 139
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Transportation and Homeland Security
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AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

As mobile phones become more popular, the potential for serious accidents from driver distraction is increasing. As proposed, S.B. 139 prohibits the use of a telephone while operating a motor vehicle unless the operator of the vehicle is using a telephone with a hands-free device. This bill provides certain exceptions for emergencies. S.B. 139 is necessary to prevent vehicle accidents resulting from driver distraction due to mobile phone use.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter I, Chapter 545, Transportation Code, by adding Section 545.425, as follows:

Sec. 545.425. USE OF TELEPHONE; OFFENSE. (a) Defines "hands-free device."

(b) Sets forth certain restrictions on telephone use for an individual operating a motor vehicle.

(c) Provides that usage of the telephone to make emergency calls to certain entities is an affirmative defense to prosecution under this section.

(d) Provides that it is an exception to the application of this section that the operator is an operator of an authorized emergency vehicle using the telephone while acting in an official capacity.

SECTION 2. Effective date: September 1, 2005.