



PRAIRIE VIEW A&M UNIVERSITY

A Member of the Texas A&M University System

September 1, 2009

OFFICE OF BUSINESS AFFAIRS MEMORANDUM No. FY10-04

Delivered via Campus Email

To: Faculty and Staff

From: Mary Lee Hodge
Vice President for Business Affairs

Re: New Driving Laws as of September 1, 2009

On September 1, several new Texas laws about driving and other public safety issues will go into effect.

House Bill 537, Prohibits a motorcyclist from carrying a passenger younger than 5 unless the child is seated in a sidecar. Fines can range between \$100 and \$200.

HB 537 requires all occupants of a vehicle, no matter their age, to be secured by a safety belt, no matter where they are seated in the vehicle; changes the definition of a passenger vehicle to include a passenger van designed to transport 15 or fewer passengers including the driver; removes the current exemption for third-party Medicaid transportation provisions regarding the use of child passenger safety seats; and prohibits a motorcycle operator from carrying a passenger under the age of 5 unless the child is seated in a sidecar attached to the motorcycle.

SB 61 amends the existing statute regarding child passenger safety seats. The bill requires that any child younger than 8 years of age be restrained in an approved child passenger safety seat unless the child is at least 4 feet, 9 inches in height. The fine is no more than \$25 for a first offense and \$250 for a second offense. The law also creates a new court cost for conviction of an offense under this section to be collected and used by TxDOT to buy safety seats for low income families. The law becomes effective on Sept. 1, 2009, but tickets for this offense cannot be issued until June 1, 2010. Police officers are allowed to issue a warning before that date.

HB 55 makes it illegal to use a wireless communication device in a school zone unless the vehicle is stopped or a hands-free device is used.

HB 2730 increases the penalties for driving while intoxicated with a child passenger by adding an automatic driver license suspension period for first-time offenders and an increased suspension period for repeat offenders. The driver license re-instatement fee for completing an education program will rise from \$50 to \$100.

HB 2012 creates two new punishment enhancements: a Class B misdemeanor if a person drives with a suspended license and without insurance; and a class A misdemeanor if the person driving without insurance or a valid driver license has an accident and someone is seriously injured or dies as a result of that accident.

HB 2730 and HB 339 - Restrict all drivers under the age of 18 from using a wireless communication device while operating a motor vehicle. This new restriction applies to licenses issued after September 1, 2009, to applicants who are under 18. All drivers under 18 who were issued an original driver license before September 1, 2009 are still restricted from using a wireless communication device during the six-month period following the issuance of that original license.

xc: Dr. George C. Wright

MLH: pgs