

## **BILL ANALYSIS**

Senate Research Center  
86R952 JXC-D

H.B. 771  
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Transportation  
5/15/2019  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Despite recent legislative efforts to curb the practice, texting and driving in school zones remains prevalent and poses a risk to the safety of Texas children. Current law requires a jurisdiction choosing to enforce the prohibition against texting and driving in a school crossing zone with a civil penalty to install a sign at the entry point to every school zone within the jurisdiction. For larger cities, installing the signs at all points has proven problematic due to the exorbitant fiscal impact.

H.B. 771 amends current law to allow local authorities to purchase and install signs in school zones. This should allow various local entities to share the cost burden and invest in protecting Texas children.

H.B. 771 amends current law relating to the placement of warning signs in areas where the use of a wireless communication device is prohibited.

### **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 the heading to Section 545.425, Transportation Code, to read as follows:

Sec. 545.425. USE OF WIRELESS COMMUNICATION DEVICE IN A SCHOOL CROSSING ZONE OR WHILE OPERATING A SCHOOL BUS WITH A MINOR PASSENGER; LOCAL AUTHORITY SIGN REQUIREMENTS; OFFENSE.

SECTION 2. Amends Sections 545.425(b-1), (b-2), (b-4), and (d-1), Transportation Code, as follows:

(b-1) Requires a local authority that enforces this section in a school crossing zone in the local authority's jurisdiction, except as provided by Subsection (b-2), to post a sign, or approve the posting of a sign by a school or school district, that complies with the standards described by this subsection at each entrance to the school crossing zone, rather than requiring a municipality, county, or other political subdivision that enforces this section to 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. Makes nonsubstantive changes.

(b-2) Makes conforming changes to this subsection.

(b-4) Requires the local authority to pay the costs associated with the posting of signs under Subsections (b-1) and (b-2), unless the authority enters an agreement providing otherwise, rather than requiring the political subdivision to pay the costs associated with the posted of signs under Subsection (b-2).

(d-1) Makes conforming changes to this subsection.

SECTION 3. Effective date: September 1, 2019.