

## NEW TRAFFIC AND PUBLIC SAFETY LAWS EFFECTIVE SEPTEMBER 1

Dear Friends:

A number of new laws aimed at protecting motorists on the road and improving public safety will go into effect September 1. The measures, passed by the Texas House and Senate during the 81<sup>st</sup> Legislative Session that ended June 1, include requiring all passengers to wear seat belts, prohibiting drivers from using cell phones in school zones and increasing training for teen drivers.

Here is a brief overview of some of the new laws that will impact Texas' motorists. For more information about these laws or other new legislation, please contact my Capitol office at 512-463-0578. I look forward to hearing from you and will continue to keep you updated on information relevant to you and your family.

Sincerely,



Veronica Gonzales

State Representative, District 41

### SEATBELTS/BOOSTER SEATS:

- **All vehicle occupants must wear a safety belt** regardless of age or where they are seated in the vehicle. Drivers of a passenger van transporting 15 or fewer passengers can face charges if a child under the age of 17 is not wearing a seat belt. Motorcycle drivers are now prohibited from carrying a passenger under 5 years old, unless the child is seated in a sidecar attached to the motorcycle. (HB 537)

- **Booster seats for children younger than 8 years old** unless they are at least 4 feet, 9 inches in height, raising the age limit for booster seats from 5 years old. Violators face fines of no more than \$25 for a first offense and \$250 for a second offense. The fines collected will be used to buy safety seats for low-income families. The law becomes effective on Sept. 1, 2009 but police officers cannot issue tickets until June 1, 2010. Law enforcement officers may issue a warning before that date. (SB 61)

## **DRIVING:**

- **No cell phones while driving in school zones** unless the vehicle is stopped or making an emergency call. Hands-free devices are permitted and a sign must be posted at the beginning of each school zone to inform drivers that using a wireless communications device may result in a fine. (HB 55)
- **Increased penalties for driving while intoxicated with a child passenger** will now include 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 increase from \$50 to \$100. (HB 2730)
- **Enhanced penalties for people who drive with a suspended license and without insurance.** The offense is now a Class B misdemeanor, punishable by a fine of up to \$2,000 and six months jail time. 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, the punishment is now a Class A misdemeanor, punishable by a fine up to \$4,000 and a year in jail. (HB 2012)

## **DRIVER LICENSES:**

- **Minors required to take driving exam.** All driver license applicants under age 18 are required to take the driving skills exam to receive a license. (HB 2730.)
- **More training time for teen drivers.** Starting May 1, 2010, teens must receive 34 hours of behind-the-wheel driving instruction, up from 14 hours. (HB 339)

- **Drivers' education courses required for adult applicants.** Beginning May 1, 2010, driver license applicants older than 18 years old must take a six-hour driver education course. Applicants 25 years old or younger must submit to an approved driver education course. (SB 1317)
- **Minors failing breath or blood alcohol test while operating a watercraft may have driver license suspended.** (SB 328)
- **Texas domicile required for license.** A person can no longer be issued a driver license or identification card if they have not established a domicile in Texas. An applicant may receive a driver's license at a post office box only if the applicant's residence address has also been provided, with some exceptions. (HB 2730)
- **Lifetime license disqualification for commercial driver license holders transferring illegal immigrants.** Drivers can now face a lifetime disqualification for using a motor vehicle to transport, conceal or harbor an illegal immigrant. If a minor is involved in trafficking persons, the juvenile's driver license or permit may be suspended. (HB 2730)

#### **CRIME:**

- **Minors may now be charged with public intoxication.** Current law only allows minors to be prosecuted for purchasing, possessing or consuming an alcoholic beverage, but not for public intoxication. (HB 558)
- **Sealing of juvenile records.** Courts are permitted to immediately seal juvenile criminal records if the juvenile successfully completes a drug court program, or another special program ordered by the court. (HB 2386)
- **Stealing a driver license, commercial driver license or personal identification is now a Class B misdemeanor.** (HB 1282)
- **Sex offenders are now required to provide e-mail addresses and online identification information when they register.** (SB 689)

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