

By: Quintanilla

H. B. No. 738

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the penalty for an offense committed during the
3 inattentive operation of a motor vehicle.

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

5 SECTION 1. Subchapter D, Chapter 542, Transportation Code,
6 is amended by adding Section 542.408 to read as follows:

7 Sec. 542.408. INATTENTIVE DRIVING; FINE FOR OFFENSE. (a)

8 An offense under this subtitle is punishable by a fine that is at

9 least twice the minimum fine applicable to the offense and not more

10 than twice the maximum fine that is applicable to the offense if the

11 person who commits the offense is at the time of the offense

12 operating a motor vehicle while:

13 (1) reading:

14 (2) writing:

15 (3) performing personal grooming;

16 (4) consuming food or a beverage;

17 (5) interacting with a pet;

18 (6) interacting with a vehicle passenger;

19 (7) using a personal communications device; or

22 (b) For the purposes of this section:

23 (1) "Personal grooming" includes:

24 (A) applying makeup;

21 SECTION 2. (a) The change in law made by this Act applies
22 only to an offense committed on or after the effective date of this
23 Act. For purposes of this section, an offense was committed before
24 the effective date of this Act if any element of the offense
25 occurred before that date.

26 (b) An offense committed before the effective date of this
27 Act is covered by the law in effect when the offense was committed,

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1 and the former law is continued in effect for that purpose.

2 SECTION 3. This Act takes effect September 1, 2009.