



No Texting While Driving Ordinance

**Homeland Security and Public
Safety Committee**

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Distracted Driving

- 18% of drivers admit to texting while driving. (Nat'l. Highway Transp. Safety Adm.)
- Text messaging creates a crash risk 23 times worse than driving while not distracted. (Va. Tech. Traffic Inst.)
- Sending or receiving a text takes a driver's eyes from the road for an average of 4.6 seconds, the equivalent-at 55 mph-of driving the length of an entire football field, blind. (Va. Tech. Traffic Inst.)
- In the month of June 2011, more than 196 billion text messages were sent or received in the US, up nearly 50% from June 2009. (Cellular Telecomm. & Internet Assoc.)

Distractions now join alcohol and speeding as leading factors in fatal and serious injury crashes.

THKS

Where r u?

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Running late

See u soon

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Legislative Activity

- 2009 - State law provided that use of wireless communication devices by drivers could be prohibited, with appropriate signage, in school zones.
- 2011- State law was expanded to authorize cities, counties and other political subdivisions to prohibit use of wireless devices by drivers throughout the jurisdiction.
 - A statewide ban on texting while driving was passed by both houses but vetoed by the governor.
 - Legislation prohibiting use of wireless communications devices by drivers under the age of 18 was enacted. These drivers may use the devices only in the case of emergency.
- 2013 - Legislation again introduced providing for a statewide ban on texting while driving; the outcome remains to be seen.

Other Cities

- **Dallas - Prohibits use of mobile communication devices in school zones while operating a motor vehicle.**
- **San Antonio - Prohibits use of mobile communication devices in school zones while operating a motor vehicle.**
- **Austin - Prohibits use of a wireless communication device to send, read or compose a message while operating a motor vehicle.**
- **Missouri City - Prohibits use of a wireless communication device to send, read or compose a message while operating a motor vehicle.**
- **West University - Prohibits use of a wireless communication device to view, send, or compose an electronic message while operating a motor vehicle.**
- **Conroe – prohibits texting or internet browsing while driving.**
- **Bellaire – prohibits texting or internet browsing while driving.**
- **Galveston – prohibits texting or internet browsing while driving.**

Proposed Ordinance

- **Wireless communication device means an electronic communication device capable of creating, sending or receiving an electronic message. The term includes but is not limited to a mobile phone, a personal digital assistant, a computer, a mobile computer, a tablet computer, a media player and a vehicle's onboard computer.**
- **Unlawful for a person to use a wireless communication device to:**
 - **View;**
 - **Send; or**
 - **Create an electronic message while operating a motor vehicle upon a roadway within the city.**

Affirmative Defenses

Use of a wireless communications device --

- In the course and scope of the user's duties as the operator of an emergency vehicle;
- To communicate with an emergency response operator, fire department, law enforcement agency, hospital, physician's office, or health clinic regarding a medical or other emergency situation;
- In a vehicle that was parked or stopped out of the traffic lanes of a roadway; Attached to or installed in the vehicle as a global positioning or navigation system;
- Solely in a voice-activated or other hands-free mode; or
- Under a license issued by the Federal Communications Commission.

Penalty

- **A violation of the proposed ordinance is an offense (misdemeanor) punishable by a fine of no more than \$500.00.**

It Can Wait, Houston.....



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