



**On the first of every other September, all new state laws from the most recent Texas legislative session go into effect.**

Some of these laws are fairly trivial, such as the designation of SH 121 in Tarrant and Johnson County as the Chisholm Trail Parkway, but many will impact our daily lives.

Unfortunately, one law that would have made our roads considerably safer by banning texting while driving was vetoed at the last minute by Governor Perry (see inside for details).

However, there are still many other new laws that will come into effect and hopefully improve everyone's safety.

Most likely you've already heard about HB 1353, which will up the speed limit on some roads in Texas to 75 mph. It's unlikely to affect commuters in DFW though, because speed limits will only be increased on sections of road deemed reasonable and safe. The bill will also eliminate the distinction between various day and night speed limits, as well as speed limits for different vehicles.

As someone who detests drunk drivers with a passion, I certainly welcome these two new laws: SB 1787 gives police officers the power to obtain a warrant for a urine test if a suspected drunk driver refuses to submit to a voluntary alcohol test; while HB 1199 means that if an alcohol-impaired motorist causes a crash that results in a traumatic brain injury, their offense is raised from a misdemeanor to a felony.

In case you're not already aware of the law requiring you to either slow down to 20 mph below the speed limit or move over one lane when passing an emergency vehicle or police car which is stopped on the side of the road, let HB 378 serve as a reminder. This new law adds tow trucks to the list of stationary vehicles you must now brake for when passing.

Here's a rundown of some other new laws you might find relevant:

### **Auto Accidents**

HB 42 will make negligent drivers pay a fee toward the repair of damage they cause to roadways and structures in a wreck and

# NEW LAWS

HB 109 gives local authorities the power to temporarily lower the speed limit on sections of roadway where post-accident road repair is needed.


### **Child Safety**

Safety in school sports is under scrutiny this year after so many high school athletic deaths. HB 675 imposes stricter rules concerning the reconditioning and replacement of football helmets and HB 2038 (that went into effect in June) ensures there are proper guidelines to treat any student that suffer a possible concussion.

### **Boating Issues**

I can't believe that these two weren't law already: HB 2981 makes it an offense to tow a boat on the road while a child rides in the vessel (duh) and HB 555 puts a burden on any boater who causes an accident to report it to the authorities within 30 days.

### **Driving Licenses**

Some stricter rules aim to improve public safety by amending requirements for youths seeking a hardship license (HB 90) and for motorists wanting to register their classic/custom cars or hot rods (HB 890). Meanwhile, HB 588 allows drivers owing DRP surcharges to make one bulk advance payment, hopefully allowing for more DPS income. 

# Remembering 9/11



This September marks the 10th anniversary of the coordinated terrorist attacks on America. Like most of you, I can still remember exactly where I was, who I was with and what I was doing when I first heard the news. I will always remember.

What followed in the days afterward was a chaotic, confusing and emotional time. Relatives and friends of those killed mourned their loved ones. The rest of us grieved for them too, never mind that they were strangers. The emergency responders, the firemen, the police became our heroes. We promised we would never forget.

One thing in particular that I will always remember is how we as a people put aside our differences for the sake of our nation. For once, our country was truly united. For all the devastation the attacks caused, the event brought out the best in America. We should not forget that either.

This September 11th, we will once again unite as a nation and remember that awful day. Once again we will remember those we lost and those that gave their lives in an attempt to save those in peril.

We should also pause for thought about how this national tragedy brought us all together. Particularly as the media focuses more intensely each day on the 2012 Presidential Election, mutual mudslinging commences between top candidates and friends and neighbors divide themselves over party lines. Remember that we are all American.

Regardless of which policies you support, regardless of which politician you eventually vote for, I think it's important that we all realize that whether or not we agree with what somebody is saying, it is always said in the honest belief that it is in the best interest of our country.

The United States of America is a model democracy looked up to around the world. What is so great about our country is that we have a wealth of different people across every spectrum imaginable. There is no need to fight among ourselves. We might not always agree, but we should still stand united regardless. 🇺🇸

## Meet Our Newest Attorney

The newest addition to the Anderson Law Firm is personal injury attorney Robert Kisselburgh. He has worked on cases ranging from 18 wheeler wrecks to medical malpractice cases throughout the Dallas-Fort Worth area for more than 20 years.



I first met Robert 14 years ago, working alongside him on the mass tort lawsuits against the maker of Fen-Phen. This was a dangerous drug that was supposed to help patients lose weight, but which actually caused serious damage to people's heart and lungs. Robert's work on the first Fen-Phen case to go to jury verdict led to a \$23.4 million verdict against America Home Products Corporation (the makers of Fen-Phen).

Robert has given lectures and spoken on litigation throughout the USA and has been profiled in two books: *Dispensing With The Truth: The Victims, the Drug Companies, and the Dramatic Story Behind the Battle over Fen-Phen* by Alicia Mundy and *The Money Lawyers: The No-Holds Barred World of Today's Richest and Most Powerful Lawyers* by Joseph C. Goulen.

He has also appeared on a variety of local and national television programs and publications such as *The Wall Street Journal*, *Time Magazine* and *Texas Monthly*.

Robert is a graduate of Northwestern Oklahoma State University, Texas A&M-Commerce and Southern Methodist University School of Law.

Here at the Anderson Law Firm, we are all excited to have Robert working with us. He is a fantastic addition to the team and all current and future clients will benefit greatly from his expertise.

Welcome aboard, Robert! 🇺🇸

# Texting While Driving Kills, But It's Still Legal In Texas! (Thanks Gov.)

Despite numerous protests and evidence presented to lawmakers in Austin that distracted driving is an incredibly dangerous epidemic that is rapidly growing out of control, Governor Rick Perry vetoed House Bill 242 that would have made texting while driving illegal in Texas. In his official response, Perry said, "Texting while driving is reckless and irresponsible. I support measures that make our roads safer for everyone, but House Bill 242 is a government effort to micromanage the behavior of adults."

Perry claims that HB 242 would have been an overreach of government, but it confuses me as to how he got to this conclusion. How does a law that would protect the well-being of the public equal tyranny of the state? If Governor Perry is against laws like HB 242 that "micromanage" us, then he must also be against DWI laws, drug laws and driving without insurance laws. We shouldn't need laws to tell us not to drink and drive or text and drive but we do.

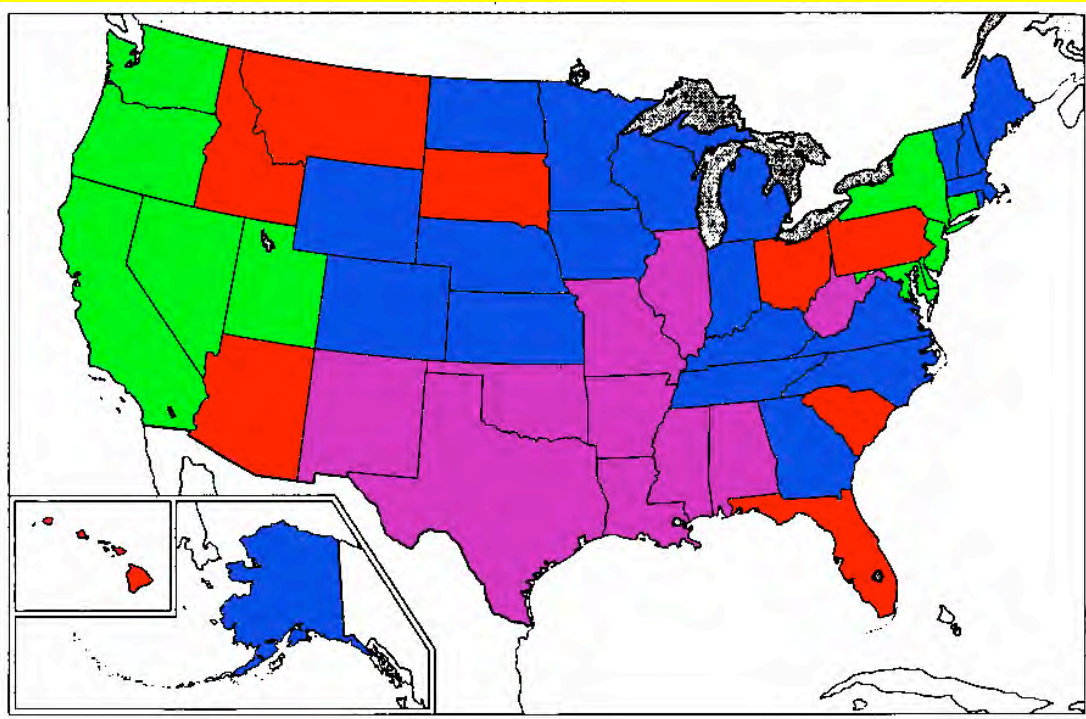
It seems to me that Governor Perry is out of touch with the state of Texas. There was little opposition to this law in its required committee hearings; in fact, telecommunications giants, such as AT&T, actually support a ban on texting while driving. Not only did this bill have both Democrat and Republican support, but the majority of Texas drivers polled in a survey by the Texas Transportation Institute last year favor a cellphone ban while driving.

Politics aside, anti-texting laws don't burden you unless you're texting and driving and if they can save one life, they are worth it. If I was grading Rick Perry on his decision to veto this much needed anti-texting and driving bill, we would give him an F. 🇺🇸

## What Our Clients Say...

"Hearing that my daughter, who is attending college 700 miles away in Texas, was in a serious car accident, was a horrible experience that left me feeling scared and helpless. Mark Anderson and his staff were helpful from the second I spoke with them on the phone. They worked very hard for my daughter, communicated clearly and frequently via phone and email, and assisted us with many aspects of my daughter's situation which were even outside of their area of responsibility. I have already recommended the Anderson Law Firm to friends and family in DFW area and will continue to do so. We are very grateful for the settlement he negotiated for our daughter and for the courteous way he worked with us throughout the process."

**L.K. - St Louis, MO**  
 Daughter was badly injured when a car failed to yield at an intersection in Fort Worth.



**Key**

- Both outright texting & outright handheld ban
- Outright texting ban only
- Partial ban (either texting, handheld or both)
- No ban at all

For the purposes of this chart "partial ban" refers to bans which only affect certain drivers (under 18, bus drivers, etc.)



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## *Back to Basics: A Refresher Course on Safe Driving Around School Buses*

As the kids head back to school in DFW, now is a good time for all of us to refresh ourselves on some of the basics we learned in drivers ed. There are bound to be bus stops in your neighborhood, but do you remember all the rules when driving around school buses?

In Texas, state law requires approaching drivers to stop when a school bus is stopped and operating a visual signal (red flashing lights or a stop sign). Only when the school bus resumes motion are other drivers allowed to proceed. The most dangerous time for school bus wrecks is when children are entering and exiting the bus because children may not be looking for oncoming traffic when they step into the roadway. That's why all drivers must proceed with caution and alertness even after the school bus is done unloading.

When you pick up your kids or are driving through a school cross walk, remember, the use of a hand-held cell phone is prohibited in school zones everywhere in Texas. So put

your conversation on hold until you're out of your car and at home. Also, keep a safe distance from school buses and large trucks to prevent car accidents. We all learned about No-Zones in driving school, but remember where these blind spots are on buses and trucks. Crashes are more likely to happen if you're driving in the front, side and rear No-Zone area where your car literally "disappears" from the driver's view.

Remember these basic driving rules so everyone can have a safe and happy school year – accident free! 🚗

