



2011 General Assembly – Proposed Legislation

Distracted Driving

Absolute prohibition of cell phone use:

HB 1404 Handheld personal communications devices; prohibits use thereof while operating motor vehicle, etc.

Summary as introduced:

Use of handheld personal communications devices; penalty. Prohibits any use of a handheld personal communications device while operating a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth and makes such use a primary offense.

HB 1630 Cell phones or other wireless telecommunications devices; prohibited use while driving, exception.

Summary as introduced:

Cell phone use while driving prohibited. Prohibits operation of a motor vehicle while using a cell phone or other wireless telecommunications device, other than a citizens band radio, in any manner. The offense would be a secondary offense punishable as a Class 3 misdemeanor when the operator of the motor vehicle is charged with any other moving violation.

Required use of hands-free setting:

HB 1424 Wireless telecommunications devices; extends prohibition on use in motor vehicles, etc.

Summary as introduced:

Wireless telecommunications devices in motor vehicles. Extends prohibition on the use of wireless telecommunications devices in motor vehicles to talking on such device only when the device is configured for hands-free operation and is being used in the hands-free mode.

SB 1351 Wireless telecommunications devices; prohibits answering a call unless in hands-free mode.

Summary as introduced:

Wireless telecommunications devices in motor vehicles. Extends prohibition on use of wireless telecommunications devices in motor vehicles to initiating or answering a call on such device, unless the device is configured for hands-free operation and is being used in the hands-free mode. The bill also provides for graduated penalties for violations.

Provides for heightened severity of the crime:

[HB 1489/](#)[HB 1546/](#)[SB 1042](#) Handheld personal communications device; texting while driving.

Summary as introduced:

Texting while driving. Repeals the "secondary enforcement" provisions of the statute prohibiting texting, etc., while driving.

Alteration of fine structure:

[HB 2307](#) Handheld personal communications devices; fines for texting while driving doubled in work zones.

Summary as introduced:

Texting while driving; highway work zones. Provides that the fines imposed for texting while driving shall be doubled if the offense is committed within a highway work zone.

Limited application to provisional licensees:

[SB 1047](#) Driver's license holders, provisional; makes cell phone use while driving a primary offense.

Summary as introduced:

Provisional driver's license holders. Makes cell phone use while driving by a provisional driver's license holder a primary offense.