

SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend the Code of Virginia by adding a section numbered § 46.2-1078.2, relating to the
2 operation of a motor vehicle while engaged in other activities.

3 **Be it enacted by the General Assembly of Virginia:**

4 **1. That the Code of Virginia is amended by adding a section numbered § 46.2-1078.2 as follows:**

5 46.2-1078.2. Operation of a motor vehicle while engaged in other activities.

6 A. Any person who commits a traffic infraction or who violates any criminal statute while
7 operating a moving motor vehicle, and at the time the infraction or criminal violation occurs is engaged
8 in an activity that is (1) not necessary to and that (2) actually impairs or is reasonably expected to impair
9 his ability to operate the vehicle safely, is guilty of a traffic infraction.

10 B. A violation of this section constitutes a separate and distinct offense.

11 C. No citation for a violation of this section shall be issued if the motor vehicle operator's
12 activity would be exempt from citation under § 46.2-1078.1(B).

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