

SENATE BILL NO. \_\_\_\_\_ HOUSE BILL NO. \_\_\_\_\_

1 A BILL to amend the Code of Virginia by adding a section numbered 46.2-1078.1, relating to the use of  
2 wireless telecommunications devices for text messaging or emailing while operating certain  
3 vehicles; penalty.

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

5 **1. That the Code of Virginia is amended by adding a section numbered 46.2-1078.1 as follows:**

6 § 46.2-1078.1. Use of certain wireless telecommunications devices for text messaging and  
7 emailing prohibited; penalty.

8 It shall be unlawful for any person to operate a motor vehicle, bicycle, electric personal assistive  
9 mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth while  
10 using any wireless telecommunication device for the purpose of composing or sending any email or text  
11 message. The foregoing provisions of this section shall not be deemed to prohibit using an electronic  
12 wireless telecommunication device for the purpose of making or receiving a telephone call. For purposes  
13 of this section, wireless telecommunications device does not include global positioning systems (GPS).

14 The foregoing provisions of this section shall not apply to the operator of any emergency vehicle  
15 as defined in § 46.2-920 or any person using a wireless telecommunications device to report an  
16 emergency.

17 A violation of any provision of this section shall constitute a traffic infraction punishable, for a  
18 first offense, by a fine of \$20 and, for a second or subsequent offense, by a fine of \$50.

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