

BILL SUMMARY

***HB 0107 BY *LUNDBERG, SHIPLEY, HARRISON, RICH, HENSLEY, COBB J, ARMSTRONG, HARWELL, TURNER M, MCDANIEL, FAULKNER, COBB T, FRALEY, BROOKS K, ROACH, FORD , HARDAWAY, TODD, BONE, SHAW, ELDRIDGE, SONTANY, TOWNS, COLEMAN, BROWN. (SB 0393 BY *TRACY, KETRON, FORD, O..)**

Motor Vehicles - As enacted, prohibits sending or reading text messages while operating a motor vehicle; provides certain exceptions. - Amends TC/ Title 55.

Fiscal Summary

(CORRECTED) Increase State Revenue - \$41,600/Recurring Increase State Expenditures - \$21,000/One-Time Increase Local Revenue - \$2,200/Recurring Increase Local Expenditures - Not Significant

Bill Summary

ON APRIL 23, 2009, THE SENATE ADOPTED AMENDMENTS #5, #1 AND #3, AND PASSED SENATE BILL 393, AS AMENDED.

AMENDMENT #5 specifies that this bill does not apply to:

- (1) Officers of the state, or of any county, city or town, charged with the enforcement of the laws of the state, when in the actual discharge of their official duties;
- (2) Campus police officers and public safety officers, when in the actual discharge of their official duties;

- (3) Emergency medical technicians, emergency medical technician-paramedics, and firefighters, both volunteer and career, when in the actual discharge of their official duties; and
- (4) Emergency management agency officers of the state, or of any county, city or town, when in the actual discharge of their official duties.

This amendment directs the department of transportation to utilize the department's permanent electronic overhead informational displays located throughout this state to provide periodic messages to the motoring public as to the provisions of this bill.

AMENDMENT #1 clarifies that this offense only applies to a person driving a motor vehicle that is in motion at the time a written message from a mobile telephone or hand held personal digital assistant (PDA) is transmitted or received by the person.

AMENDMENT #3 classifies a traffic citation that is based solely upon a violation of this bill as amended as a nonmoving traffic violation for which the offender will not be assigned any points on the offender's driver record.

ON APRIL 27, 2009, THE HOUSE SUBSTITUTED SENATE BILL 393 FOR HOUSE BILL 107, ADOPTED AMENDMENT #4, AND PASSED SENATE BILL 393, AS AMENDED.

AMENDMENT #4 clarifies that the entirety of the bill would not apply to the following persons:

- (1) Officers of the state, or of any county, city or town, charged with the enforcement of the laws of the state, when in the actual discharge of their official duties;
- (2) Campus police officers and public safety officers, when in the actual discharge of their official duties;
- (3) Emergency medical technicians, emergency medical technician-paramedics, and firefighters, both volunteer and career, when in the actual discharge of their official duties; and
- (4) Emergency management agency officers of the state, or of any county, city or town, when in the actual discharge of their official duties.