

# 2006 SESSION

INTRODUCED

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## HOUSE BILL NO. 233

Offered January 11, 2006

Prefiled January 3, 2006

A *BILL to amend the Code of Virginia by adding a section numbered 46.2-1078.1, relating to the operation of motor vehicles while using certain wireless communication devices; fine.*

Patron—Jones, D.C.

Referred to Committee on Transportation

### Be it enacted by the General Assembly of Virginia:

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

§ 46.2-1078.1. *Use of certain wireless communication devices prohibited in moving motor vehicles.*

A. *The use of a wireless communication device by the operator of a moving motor vehicle on a public road or highway is prohibited unless the device is designed for hands-free communication and is being used in that manner.*

B. *The prohibitions set forth in this section shall not be applicable if the operator:*

1. *Is performing his official duties as a law-enforcement officer, a member of a volunteer fire department, or an operator of an emergency vehicle as defined in § 46.2-920;*

2. *Has reason to fear for his life or safety, or is witness to or may be victim of a criminal act;*

3. *Is reporting an emergency, including but not limited to, a fire, a traffic accident, or a serious road hazard; or*

4. *Is initiating or terminating a telephone call or turning the wireless device on or off.*

C. *For purposes of this section, wireless communication devices shall not include:*

1. *Electronic displays used in conjunction with vehicle navigation systems;*

2. *Closed-circuit video monitors designed to operate only in conjunction with dedicated video cameras and used in rearview systems on trucks and motor homes; and*

3. *Television receivers or monitors used in government-owned vehicles by law-enforcement officers and employees of the Virginia Department of Transportation in the course of their official duties.*

D. *A driver may be fined not more than \$50 for violating this section. No driver demerit points shall be assessed by the Department for this offense.*

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