

# 2009 SESSION

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## HOUSE BILL NO. 1769

Offered January 14, 2009

Prefiled January 8, 2009

A BILL to amend the Code of Virginia by adding a section numbered 46.2-1078.1, relating to use of wireless telecommunications devices while operating a motor vehicle.

Patrons—Dance, BaCote, Bell and Howell, A.T.

Referred to Committee on Militia, Police and Public Safety

### 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. Restricted use of mobile telephone and other wireless electronic telecommunications devices.

No person shall use a mobile telephone or other wireless electronic telecommunications device while operating a moving motor vehicle on any public highway in the Commonwealth unless such mobile telephone or other wireless electronic telecommunications device is equipped with a hands-free accessory.

The provisions of this section shall not apply to the following:

1. Emergency use of a mobile telephone, including calls to 911 or 311, a hospital, an ambulance or other emergency medical services provider, a fire department, or a law-enforcement agency;

2. Use of a mobile telephone by law-enforcement and emergency personnel or by a driver of an authorized emergency vehicle, acting within the scope of official duties; or

3. Initiating or terminating a telephone call, or turning the telephone on or off.

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