

## Department of Planning and Budget 2009 Fiscal Impact Statement

**1. Bill Number:** HB 1876

**House of Origin**    ☐ Introduced    ☒ Substitute    ☐ Engrossed

**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** Delegates Cosgrove, A.T. Howell, Jr., and J.M. Scott

**3. Committee:** Courts of Justice

**4. Title:** Establish penalty for text messaging and emailing while driving.

**5. Summary:** This amendment in the nature of a substitute prohibits operation of a motor vehicle on the Commonwealth's highways while using any handheld personal communications device to either manually enter numbers or text in the device, unless it is being done using a voice-activated hands-free application, or read email or text messages within the device. The prohibition, however, does not extend to operators of emergency vehicles, operators who are lawfully parked or stopped, the use of global positioning systems (GPS) or digital dispatching systems, or handheld personal communications devices used to report an emergency. A first time violation will result in a fine of \$20 with subsequent violations resulting in fines of \$50.

**6. Fiscal Impact Estimates:** Indeterminate (see Section 8)

**7. Budget Amendment Necessary:** No.

**8. Fiscal Implications:** Currently, there is insufficient information available to reliably estimate how many violations could result from this proposed legislation. However, any fines collected under these provisions would be deposited to the Literary Fund.

**9. Specific Agency or Political Subdivisions Affected:** law enforcement agencies

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** HB 1615 and HB 2380 were incorporated into this bill.

**Date:** 2/8/2009 sas

**Document:** f:\ga sessions\2009\fiscal impact statements\hb1876h1.doc