

## Department of Planning and Budget 2018 Fiscal Impact Statement

**1. Bill Number:** HB181S1

**House of Origin**     Introduced     Substitute     Engrossed  
**Second House**     In Committee     Substitute     Enrolled

**2. Patron:** Collins

**3. Committee:** Courts of Justice

**4. Title:** Option to bring charges for improper driving.

**5. Summary:** The substitute bill provides that any person who drives a motor vehicle on a highway while using a handheld personal communications device which substantially diverts the driver's attention from the operation of the motor vehicle (with some exceptions listed) is guilty of distracted driving, punishable by a fine of not more than \$500. The offense is punishable by a mandatory minimum fine of \$250 if it occurs in a highway work zone.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Preliminary. See Item #8.

**8. Fiscal Implications:** Any person who drives a motor vehicle on any highway while using any handheld personal communications device where such use substantially diverts the driver's attention from the operation of the motor vehicle is guilty of distracted driving. Distracted driving is a traffic infraction punishable by a fine of not more than \$500. If the violation of this section occurs in a highway work zone, it shall be punishable by a mandatory minimum fine of \$250. The bill provides exceptions to 1) an operator of any emergency vehicle while engaged in the performance of his/her official duties; 2) An operator who is lawfully parked or stopped; 3) an operator using a handheld personal communications device to report an emergency; or 4) an operator using a handheld radio-based communications device during an emergency or disaster relief operation. All such fines are deposited in the state's Literary Fund. It is not feasible to determine the impact on revenue deposited to the Literary Fund as a result of the provisions of this legislation.

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

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

**11. Other Comments:** None.