

1995 SESSION

INTRODUCED

LD8545340

HOUSE BILL NO. 1890

Offered January 20, 1995

A BILL to amend and reenact § 46.2-1078 of the Code of Virginia, relating to operating motor vehicles, mopeds, or bicycles while using earphones.

Patrons—May, Albo and Nixon

Referred to Committee on Roads and Internal Navigation

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1078 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1078. Unlawful to operate motor vehicle, moped, or bicycle while using earphones.

It shall be unlawful for any person to operate a motor vehicle, moped, or bicycle on the highways in the Commonwealth while using earphones on or in both ears.

For the purpose of this section, "earphones" ~~shall mean~~ *means* any device worn on or in both ears (i) which converts electrical energy to sound waves ~~or which impairs or hinders the person's ability to hear, but shall~~ and (ii) whose sound-producing element extends into the interior ear and/or whose surrounding sound-attenuating structure extends beyond or behind the entire external ear. "Earphones" does not include (i) any prosthetic device which aids the hard of hearing or (ii) earphones installed in helmets worn by motorcycle operators and riders and used as part of a communications system. The provisions of this section shall not apply to the driver of any emergency vehicle as defined in § 46.2-920.

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