

## **Department of Planning and Budget**

### **2020 Fiscal Impact Statement**

**1. Bill Number:** HB874

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input checked="" type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Bourne

**3. Committee:** Transportation

**4. Title:** Holding handheld personal communications devices while driving a motor vehicle.

**5. Summary:** Prohibits any person from holding a handheld personal communications device while driving a motor vehicle. Current law prohibits (i) the reading of any email or text message and manually entering letters or text in such a device as a means of communicating and (ii) holding a personal communications device while driving in a work zone. The bill expands the exemptions to include handheld personal communications devices that are being held and used (a) as an amateur radio or a citizens band radio or (b) for official Department of Transportation or traffic incident management services. This bill has a delayed effective date of January 1, 2021. This bill also requires that the Virginia Association of Chiefs of Police and DRIVE SMART to create educational materials on implementation and enforcement of this act for law-enforcement agencies. DRIVE SMART and traffic safety organizations shall also develop and provide educational materials to the public prior to the effective date. This bill also requires the Chairmen of the Senate Committee on the Judiciary and the House Committee for Courts of Justice to request the Office of the Executive Secretary to report all of the citations issued pursuant to the provisions of this act and, to the extent available, the relevant demographic characteristics of those persons issued a citation.

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

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

**8. Fiscal Implications:** Implementation of this bill's provisions would result in more individuals being fined for holding a personal communications device while driving. These fines are deposited into the state's Literary Fund. At this time, it is not feasible to determine the revenue that would be deposited to the Literary Fund as a result of the provisions of this legislation.

**9. Specific Agency or Political Subdivisions Affected:** Law enforcement agencies, Office of the Executive Secretary

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

**11. Other Comments:** Similar to SB160.