

1 S.280

2 Introduced by Committee on Transportation

3 Date:

4 Subject: Motor vehicles; texting; prohibition

5 Statement of purpose: This bill proposes to prohibit texting while operating a  
6 moving motor vehicle on a highway and to direct the commissioner of motor  
7 vehicles to formulate a plan to educate operators as to the dangers of and  
8 penalties associated with operating while texting.

9 An act relating to prohibiting texting while operating on a highway

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 23 V.S.A. § 1099 is added to read:

12 § 1099. TEXTING PROHIBITED

13 (a) As used in this section, “texting” means the composing, reading, or  
14 sending of electronic communications including text messages, instant  
15 messages, or e-mails using a portable electronic device. As used in this  
16 section, “portable electronic device” means a portable electronic or computing  
17 device including a cellular telephone, personal digital assistant (PDA), or  
18 laptop computer.

19 (b) A person shall not engage in texting while operating a moving motor  
20 vehicle on a highway.



1 speeding violation resulting in a three-point assessment ~~or, 90 days~~ when a  
2 total of six points has been accumulated, or 90 days when an operator is  
3 convicted for a violation of section 678 of this title. When a learner's permit  
4 or junior operator's license is so recalled, it shall be reinstated upon expiration  
5 of a specific term, and, if required by the commissioner, when the person has  
6 passed a reexamination approved by the commissioner.

7 \* \* \*

8 Sec. 3. 23 V.S.A. § 2502 are amended to read:

9 § 2502. POINT ASSESSMENT; SCHEDULE

10 (a) Any person operating a motor vehicle shall have points assessed against  
11 his or her driving record for convictions for moving violations of the indicated  
12 motor vehicle statutes in accord with the following schedule: (All references  
13 are to Title 23 of the Vermont Statutes Annotated.)

14 (1) Two points assessed for:

15 \* \* \*

16 (LL) § 1095. Operating with television set installed;

17 ~~(MM)~~ § 1099. Texting prohibited—first offense;

18 ~~(MM)(NN)~~ § 1113. Illegal backing;

19 ~~(NN)(OO)~~ § 1114. Illegal riding on motorcycles;

20 ~~(OO)(PP)~~ § 1115. Illegal operation of motorcycles on  
21 roadways laned for traffic;

1	<del>(PP)</del> <u>(QQ)</u>	§ 1116.	Clinging to other vehicles;
2	<del>(QQ)</del> <u>(RR)</u>	§ 1117.	Illegal footrests and handlebars;
3	<del>(RR)</del> <u>(SS)</u>	§ 1118.	Obstructing the driver's view;
4	<del>(SS)</del> <u>(TT)</u>	§ 1119.	Improper opening and closing vehicle
5			doors;
6	<del>(TT)</del> <u>(UU)</u>	§ 1121.	Coasting prohibited;
7	<del>(UU)</del> <u>(VV)</u>	§ 1122.	Following fire apparatus prohibited;
8	<del>(VV)</del> <u>(WW)</u>	§ 1123.	Driving over fire hose;
9	<del>(WW)</del> <u>(XX)</u>	§ 1124.	Position of operator;
10	<del>(XX)</del> <u>(YY)</u>	§ 1127.	Unsafe control in presence of horses and
11			cattle;
12	<del>(YY)</del> <u>(ZZ)</u>	§ 1131.	Failure to give warning signal;
13	<del>(ZZ)</del> <u>(AAA)</u>	§ 1132.	Illegal driving on sidewalk;
14	<del>(AAA)</del> <u>(BBB)</u>	§ 1243.	Lighting requirements;
15	<del>(BBB)</del> <u>(CCC)</u>	§ 1256.	Motorcycle headgear;
16	<del>(CCC)</del> <u>(DDD)</u>	§ 1257.	Face protection;
17	<del>(DDD)</del> <u>(EEE)</u>	§ 800.	Operating without financial
18			responsibility;
19	<del>(EEE)</del> <u>(FFF)</u>		All other moving violations which have
20			no specified points;
21			* * *

1 (4) Five points assessed for:

2 (A) § 1050. Failure to yield to emergency vehicles;

3 (B) § 1075. Illegal passing of school bus;

4 (C) § 1099. Texting prohibited—second and  
5 subsequent offenses;

6 ~~(C)~~(D) § 676. Operating after suspension, revocation or  
7 refusal—civil violation;

8 \* \* \*

9 Sec. 4. EDUCATIONAL CAMPAIGN

10 The commissioner of motor vehicles shall formulate a plan to educate  
11 operators as to the dangers of operating while texting and the penalties that  
12 may be imposed pursuant to this act.

13 Sec. 5. EFFECTIVE DATE

14 This act shall take effect on passage.