

1 portable electronic device that is not affixed to the windshield in violation of
2 section 1125 of this title and either:

3 (A) is utilized in accordance with manufacturer specifications; or

4 (B) causes the portable electronic device to remain completely
5 stationary under typical driving conditions.

6 (5) “Texting” means the reading or manual composing or sending of
7 electronic communications, including text messages, instant messages, or
8 email, using a portable electronic device.

9 (6) “Use” means the use of a portable electronic device in any way that
10 is not a hands-free use, including an operator of a motor vehicle holding a
11 portable electronic device in the operator’s hand or hands while operating a
12 motor vehicle.

13 (b) General prohibition on texting.

14 (1) No operator shall engage in texting while driving a commercial
15 motor vehicle on a public highway in Vermont or in a location that is either
16 temporarily or permanently open to the public or the general circulation of
17 vehicles.

18 (2) Texting while driving is permissible by operators of a commercial
19 motor vehicle when necessary to communicate with law enforcement officials
20 or other emergency services.

