

SENATE BILL REPORT

EHB 1214

As Reported By Senate Committee On:
Transportation, March 27, 2007

Title: An act relating to operating a motor vehicle while reading, writing, or sending electronic messages.

Brief Description: Regarding the use of electronic wireless communications devices for text messaging while operating a moving motor vehicle.

Sponsors: Representatives McDonald and Morrell.

Brief History: Passed House: 3/13/07, 73-23.

Committee Activity: Transportation: 3/21/07, 3/27/07 [DPA, DNP].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker, Ranking Minority Member; Berkey, Delvin, Eide, Jacobsen, Kilmer, Pflug and Spanel.

Minority Report: Do not pass.

Signed by Senators Clements, Holmquist, Kauffman and Sheldon.

Staff: Dory Nicpon (786-7321)

Background: Under current law, a Washington State Patrol officer may cite a driver with second-degree negligent driving if the driver exhibits dangerous driving behavior while using a wireless device.

Summary of Engrossed Bill: Any person operating a moving motor vehicle while reading, manually writing, or sending a text message on an electronic wireless communications device is guilty of a traffic infraction unless the person is:

- operating an authorized emergency vehicle;
- using a hand-held wireless communications device to report illegal activity, summon medical or emergency assistance, or prevent injury to a person or property; or
- an amateur radio operator who holds a valid amateur radio license issued by the Federal Communications Commission.

EFFECT OF CHANGES MADE BY RECOMMENDED AMENDMENT(S) AS PASSED COMMITTEE (Transportation): Any person operating a moving motor vehicle who, by means of an electronic wireless communications device, sends, reads, or writes a text

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message is guilty of a traffic infraction. Voice-activated global positioning or navigation systems are excluded from the types of electronic wireless device that a motorist may not use to send, read or write a text message. The prohibition against operating a moving motor vehicle while sending, reading, or writing a text message does not apply to:

- a person operating an authorized emergency vehicle;
- a person using a hand-held wireless communications device to report illegal activity, summon medical or emergency assistance, or prevent injury to a person or property; or
- the relay of information between a transit or for-hire operator and that operator's dispatcher using a device that is permanently affixed to the vehicle.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on January 1, 2008.

Staff Summary of Public Testimony: PRO: It is lethal to text message and drive. Text messaging requires more cognitive function than talking on a cell phone. Motorists should be prohibited from endangering the lives of others by text messaging while driving. Young people, who are less experienced drivers, are perhaps more likely to use text messaging technology.

OTHER: The bill should make an allowance for text messaging communications that take place between transit operators and their transit dispatch.

Persons Testifying: PRO: Representative McDonald, prime sponsor; Captain Jeff DeVere, Washington State Patrol; Don Pierce, Washington Association of Sheriffs and Police Chiefs; Joe King, Pierce Transit.

OTHER: Angela Barbre, Community Transit Association of the Northwest; Peter Thein, Washington State Transit Association.