

**HB 1214.E - DIGEST**

(DIGEST AS ENACTED)

Provides that a person operating a moving motor vehicle who, by means of an electronic wireless communications device, other than a voice-activated global positioning or navigation system that is permanently affixed to the vehicle, sends, reads, or writes a text message, is guilty of a traffic infraction. A person does not send, read, or write a text message when he or she reads, selects, or enters a phone number or name in a wireless communications device for the purpose of making a phone call.

Does not apply to a person operating: (1) An authorized emergency vehicle; or

(2) A moving motor vehicle while using an electronic wireless communications device to: (a) report illegal activity; (b) summon medical or other emergency help; (c) prevent injury to a person or property; or (d) relay information between a transit or for-hire operator and that operator's dispatcher, in which the device is permanently affixed to the vehicle.

Provides that enforcement of this act by law enforcement officers may be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of Title 46 RCW or an equivalent local ordinance or some other offense.

Provides that infractions under this act shall not become part of the driver's record under RCW 46.52.101 and 46.52.120. Additionally, a finding that a person has committed a traffic infraction under this act shall not be made available to insurance companies or employers.

Takes effect January 1, 2008.