

FINAL BILL REPORT

SSB 6345

C 223 L 10
Synopsis as Enacted

Brief Description: Addressing the use of wireless communications devices while driving.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Eide, Regala, Delvin, Haugen, Kohl-Welles, Rockefeller, Keiser, Fairley, Kline, Tom and Fraser).

Senate Committee on Transportation
House Committee on Transportation

Background: Any person operating a moving motor vehicle while holding a cell phone or other wireless communication device to their ear is guilty of a traffic infraction, unless the person is:

- operating an authorized emergency vehicle, or a tow truck responding to a disabled vehicle;
- using a hands-free device including a speaker phone, a headset, or an earpiece;
- reporting illegal activity, summoning medical or emergency help, or using the device to prevent injury to a person or property; or
- using a hearing aid.

This does not apply to amateur radio operators who hold a valid amateur radio license issued by the Federal Communications Commission.

Any person using a cell phone or other wireless communication device to read, manually write, or send a text message is guilty of a traffic infraction, unless the person is:

- operating an authorized emergency vehicle;
- reporting illegal activity, summoning medical or emergency help, or using the device to prevent injury to a person or property; or
- relaying information between a transit or for-hire operator and that operator's dispatch, in which the device is permanently affixed to the vehicle.

A violation has an associated infraction of \$124. The infraction does not become part of the driver's record and is not available to insurance companies or employers.

A violation of the laws relating to the use of a cell phone or other wireless communication device while operating a moving motor vehicle may only be enforced as a secondary action when the driver has been detained for violating state motor vehicle laws or equivalent local ordinance.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary: The holder of an instruction permit or an intermediate license may not use a cell phone or other wireless communication device while driving a motor vehicle. An exception is made if the wireless communication device is being used to report illegal activity, summon medical or other emergency help, or to prevent injury to a person or property.

For all drivers, a violation of the laws relating to the use of a cell phone or other wireless communication device while operating a moving motor vehicle may be enforced as a primary action.

Votes on Final Passage:

Senate	33	15	
House	86	12	(House amended)
House	60	37	(House receded)

Effective: June 10, 2010