

1 H.493

2 Introduced by Representatives Grad of Moretown, Donaghy of Poultney,  
3 Jewett of Ripton, Marek of Newfane, Minter of Waterbury,  
4 Pellett of Chester and Potter of Clarendon

5 Referred to Committee on

6 Date:

7 Subject: Motor vehicles; snowmobiles; all-terrain vehicles; motorboats; texting  
8 prohibition

9 Statement of purpose: This bill proposes to prohibit all persons operating a  
10 motor vehicle and all other modes of transportation regulated in the motor  
11 vehicle and motorboat statutes from texting on a cellular telephone or other  
12 electronic device.

13 An act relating to texting and safe driving practices

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

15 Sec. 1. 23 V.S.A. § 1095a is added to read:

16 § 1095a. TEXTING PROHIBITED

17 (a) For purposes of this section, “texting” is the sending or reading of data  
18 on a cellular telephone or other electronic device.

19 (b) A person operating a motor vehicle, electric personal mobility device,  
20 or farm tractor on the traveled portion of a highway; or operating a

1 snowmobile, all-terrain vehicle (as defined in section 3501 of this title), or  
2 all-surface vehicle on or off a highway; or operating a motorboat (as defined in  
3 section 3302 of this title) shall not engage in texting with a cellular telephone  
4 or with any other electronic device.

5 (c) A person who violates this section commits a civil violation and shall  
6 be subject to a civil penalty of \$100.00 for a first offense and \$250.00 for a  
7 second offense and subsequent offenses.

8 Sec. 2. 23 V.S.A. § 2502 is 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)~~ § 1095a. Texting—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;



