

1 S.148

2 Introduced by Senator Illuzzi

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; distracted driving; snowmobiles; all-terrain vehicles;
6 texting; prohibition

7 Statement of purpose: This bill proposes to prohibit all persons operating
8 motor vehicles, and all other modes of transportation regulated in the motor
9 vehicle statutes, from activities constituting distracted driving, including
10 texting on a cellular telephone or other electronic device.

11 An act relating to prohibiting distracted driving practices

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

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

14 § 1095a. DISTRACTED DRIVING

15 (a) A person operating on the traveled portion of a highway a motor
16 vehicle, motorcycle, electric personal mobility device, farm tractor, all-surface
17 vehicle, or snowmobile on or off the highway, as defined in section 4 of this
18 title, shall not engage in distracted driving, including texting with a cellular
19 telephone or with any other electronic device. Additionally, a person shall not
20 operate a motorboat as defined in section 3302 of this title nor an all-terrain

1 vehicle as defined in section 3501 of this title while engaging in distracted
2 driving.

3 (b) For purposes of this section, distracted driving is the diversion of
4 attention from the primary driving tasks not related to impairment from
5 alcohol, drugs, fatigue, or a medical condition. Distracted driving occurs
6 because the driver is performing an additional task or tasks and temporarily
7 focusing on an object, event, or person not related to the primary driving tasks.
8 The diversion reduces a driver's situational awareness, decision-making, and
9 performance, resulting, in some instances, in a collision or near miss or
10 corrective action by the driver or other road user.

11 (c) A person who violates this section commits a civil violation and shall
12 be subject to a civil penalty of \$500.00 for a first offense and \$750.00 for a
13 second and subsequent offense.

14 Sec. 2. 23 V.S.A. § 2502 is amended to read:

15 § 2502. POINT ASSESSMENT; SCHEDULE

16 (a) Any person operating a motor vehicle shall have points assessed against
17 his or her driving record for convictions for moving violations of the indicated
18 motor vehicle statutes in accord with the following schedule: (All references
19 are to Title 23 of the Vermont Statutes Annotated.)

20 (1) Two points assessed for:

21 * * *

1	(LL)	§ 1095.	Operating with television set installed;
2	<u>(MM)</u>	<u>§ 1095a.</u>	<u>Distracted driving—first offense;</u>
3	(MM) <u>(NN)</u>	§ 1113.	Illegal backing;
4	(NN) <u>(OO)</u>	§ 1114.	Illegal riding on motorcycles;
5	(OO) <u>(PP)</u>	§ 1115.	Illegal operation of motorcycles on
6			roadways laned for traffic;
7	(PP) <u>(QQ)</u>	§ 1116.	Clinging to other vehicles;
8	(QQ) <u>(RR)</u>	§ 1117.	Illegal footrests and handlebars;
9	(RR) <u>(SS)</u>	§ 1118.	Obstructing the driver's view;
10	(SS) <u>(TT)</u>	§ 1119.	Improper opening and closing vehicle
11			doors;
12	(TT) <u>(UU)</u>	§ 1121.	Coasting prohibited;
13	(UU) <u>(VV)</u>	§ 1122.	Following fire apparatus prohibited;
14	(VV) <u>(WW)</u>	§ 1123.	Driving over fire hose;
15	(WW) <u>(XX)</u>	§ 1124.	Position of operator;
16	(XX) <u>(YY)</u>	§ 1127.	Unsafe control in presence of horses and
17			cattle;
18	(YY) <u>(ZZ)</u>	§ 1131.	Failure to give warning signal;
19	(ZZ) <u>(AAA)</u>	§ 1132.	Illegal driving on sidewalk;
20	(AAA) <u>(BBB)</u>	§ 1243.	Lighting requirements;
21	(BBB) <u>(CCC)</u>	§ 1256.	Motorcycle headgear;

