

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1214

Chapter 416, Laws of 2007

60th Legislature
2007 Regular Session

TEXT MESSAGING

EFFECTIVE DATE: 01/01/08

Passed by the House April 17, 2007
Yeas 90 Nays 8

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 13, 2007
Yeas 32 Nays 15

BRAD OWEN

President of the Senate

Approved May 11, 2007, 10:12 a.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1214** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

May 11, 2007

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1214

AS AMENDED BY THE SENATE

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Representatives McDonald and Morrell

Read first time 01/15/2007. Referred to Committee on Transportation.

1 AN ACT Relating to operating a motor vehicle while reading,
2 writing, or sending electronic messages; adding a new section to
3 chapter 46.61 RCW; prescribing penalties; and providing an effective
4 date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61 RCW
7 to read as follows:

8 (1) Except as provided in subsection (2) of this section, a person
9 operating a moving motor vehicle who, by means of an electronic
10 wireless communications device, other than a voice-activated global
11 positioning or navigation system that is permanently affixed to the
12 vehicle, sends, reads, or writes a text message, is guilty of a traffic
13 infraction. A person does not send, read, or write a text message when
14 he or she reads, selects, or enters a phone number or name in a
15 wireless communications device for the purpose of making a phone call.

16 (2) Subsection (1) of this section does not apply to a person
17 operating:

18 (a) An authorized emergency vehicle; or

1 (b) A moving motor vehicle while using an electronic wireless
2 communications device to:

- 3 (i) Report illegal activity;
- 4 (ii) Summon medical or other emergency help;
- 5 (iii) Prevent injury to a person or property; or
- 6 (iv) Relay information between a transit or for-hire operator and
7 that operator's dispatcher, in which the device is permanently affixed
8 to the vehicle.

9 (3) Enforcement of this section by law enforcement officers may be
10 accomplished only as a secondary action when a driver of a motor
11 vehicle has been detained for a suspected violation of this title or an
12 equivalent local ordinance or some other offense.

13 (4) Infractions under this act shall not become part of the
14 driver's record under RCW 46.52.101 and 46.52.120. Additionally, a
15 finding that a person has committed a traffic infraction under this
16 section shall not be made available to insurance companies or
17 employers.

18 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2008.
Passed by the House April 17, 2007.
Passed by the Senate April 13, 2007.
Approved by the Governor May 11, 2007.
Filed in Office of Secretary of State May 11, 2007.