

# HOUSE BILL REPORT

## HB 1214

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**As Reported by House Committee On:**  
Transportation

**Title:** An act relating to operating a motor vehicle while reading, writing, or sending electronic messages.

**Brief Description:** Regarding the use of electronic wireless communications devices for text messaging while operating a moving motor vehicle.

**Sponsors:** Representatives McDonald and Morrell.

**Brief History:**

**Committee Activity:**

Transportation: 2/15/07, 2/26/07 [DP].

**Brief Summary of Bill**

- Prohibits, with limited exceptions, reading, manually writing, or sending a message on an electronic wireless communications device while operating a motor vehicle.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 14 members: Representatives Clibborn, Chair; Jarrett, Ranking Minority Member; Campbell, Dickerson, Eddy, Hankins, Lovick, Rolfes, Sells, Springer, B. Sullivan, Takko, Wallace and Wood.

**Minority Report:** Do not pass. Signed by 10 members: Representatives Schindler, Assistant Ranking Minority Member; Appleton, Armstrong, Curtis, Hailey, Hudgins, Kristiansen, Rodne, Simpson and Upthegrove.

**Staff:** David Munnecke (786-7315).

**Background:**

Current law does not explicitly address text messaging or emailing while driving. Under current law, when Washington State Patrol officers observe dangerous driving behavior by a

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motor vehicle operator using an electronic device, they may cite the driver for second-degree negligent driving.

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**Summary of Bill:**

Any person operating a moving motor vehicle while reading, manually writing, or sending a message on an electronic wireless communications device is guilty of a traffic infraction unless the person is:

- operating an authorized emergency vehicle; or
  - using a hand-held wireless communications device to report illegal activity, summon medical or emergency assistance, or prevent injury to a person or property.
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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect January 1, 2008.

**Staff Summary of Public Testimony:**

(In support) This bill would prohibit text messaging while driving. It is always dangerous to take your eyes off the road, but it is even worse when you are concentrating on composing and then sending a message at the same time. Some people claim that they have the right to do this, but they don't have the right to risk the lives of those around them.

The Washington Traffic Safety Commission has talked with teenagers about cell phones and intermediate driver's licenses (IDL). One-quarter of the teenagers that they spoke with admitted to text messaging while driving

Text messaging while driving is clearly a problem. A man using his blackberry was recently responsible for an accident on I-5. Second degree negligent driving is the other infraction people can be charged with in these types of circumstances, but it is difficult to prove, so this bill may be a deterrent.

(Opposed) None.

**Persons Testifying:** Representative McDonald, prime sponsor; and Jeff DeVere, Washington State Patrol.

**Persons Signed In To Testify But Not Testifying:** None.