

Legislative Analysis



PROHIBIT TEXT-MESSAGING WHILE DRIVING

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House Bill 5396

Sponsor: Rep. Michael Sak

Committee: Transportation

Complete to 5-7-08

A SUMMARY OF HOUSE BILL 5396 AS INTRODUCED 10-31-07

House Bill 5396 would amend the Michigan Vehicle Code to prohibit text-messaging while driving, with certain exceptions.

The bill specifies that a person shall not read, write, or send a text message on a wireless two-way communication device (including a radio telephone used in cellular telephone service or personal communication service) while operating a motor vehicle on a highway or street in Michigan.

The prohibition would not apply to a person using the device to do any of the following:

- Report a traffic accident, medical emergency, or serious road hazard.
- Report a personal safety situation.
- Report or avert a crime (or potential crime) against another person.
- Carry out official duties as a police officer, law enforcement official, member of a paid or volunteer fire department, or operator of an emergency vehicle.

Enforcement of the prohibition would be accomplished only as a secondary action when a driver had been detained for a suspected violation of another section of the Vehicle Code. A person who violated the prohibition would be responsible for a civil infraction punishable by a fine of \$500.

MCL 257.602b

FISCAL IMPACT:

The bill would likely have an undetermined positive fiscal impact on state and local government through increased fine collections. The bill would have no fiscal impact to the Department of State.

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