

REFERENCE TITLE: text messaging while driving; prohibition

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

HB 2069

Introduced by
Representative Kavanagh

AN ACT

AMENDING TITLE 28, CHAPTER 3, ARIZONA REVISED STATUTES, BY ADDING
ARTICLE 22; RELATING TO TRAFFIC AND VEHICLE REGULATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 28, chapter 3, Arizona Revised Statutes, is
3 amended by adding article 22, to read:
4 ARTICLE 22. TEXT MESSAGING WHILE DRIVING
5 28-1211. Text messaging while driving; prohibition;
6 exceptions
7 A. A PERSON MAY NOT OPERATE A MOTOR VEHICLE ON A HIGHWAY WHILE
8 USING A WIRELESS COMMUNICATION DEVICE TO MANUALLY WRITE OR SEND A WRITTEN
9 MESSAGE.
10 B. THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:
11 1. LAW ENFORCEMENT AND SAFETY PERSONNEL WHILE IN PERFORMANCE OF
12 OFFICIAL DUTIES.
13 2. DRIVERS OF AUTHORIZED EMERGENCY VEHICLES WHILE IN PERFORMANCE OF
14 OFFICIAL DUTIES.
15 3. THE USE OF A WIRELESS COMMUNICATION DEVICE FOR GLOBAL
16 POSITIONING OR NAVIGATION SERVICES.
17 28-1212. Nonmoving violation; civil penalties; accident
18 reports
19 A. A VIOLATION OF THIS ARTICLE IS A NONMOVING CIVIL TRAFFIC
20 VIOLATION.
21 B. IF A PERSON COMMITS A FIRST VIOLATION OF THIS ARTICLE AND THE
22 PERSON IS NOT INVOLVED IN A MOTOR VEHICLE ACCIDENT, THE PERSON IS SUBJECT
23 TO A CIVIL PENALTY OF \$100.
24 C. IF A PERSON COMMITS A SECOND OR SUBSEQUENT VIOLATION OF THIS
25 ARTICLE AND THE PERSON IS NOT INVOLVED IN A MOTOR VEHICLE ACCIDENT, THE
26 PERSON IS SUBJECT TO A CIVIL PENALTY OF \$300.
27 D. IF A PERSON VIOLATES THIS ARTICLE AND THE PERSON IS INVOLVED IN
28 A MOTOR VEHICLE ACCIDENT, THE PERSON IS SUBJECT TO A CIVIL PENALTY OF \$500
29 EXCEPT THAT IF THE ACCIDENT RESULTS IN THE DEATH OF ANOTHER PERSON, THE
30 PERSON IS SUBJECT TO A CIVIL PENALTY OF \$10,000.
31 E. IF A PERSON IS CITED FOR VIOLATING THIS ARTICLE, THE PERSON IS
32 INVOLVED IN A MOTOR VEHICLE ACCIDENT AND A WRITTEN ACCIDENT REPORT IS
33 REQUIRED PURSUANT TO ARTICLE 4 OF THIS CHAPTER, THE LAW ENFORCEMENT
34 OFFICER INVESTIGATING THE ACCIDENT SHALL INDICATE ON THE WRITTEN ACCIDENT
35 FORM THE PERSON'S USE OF A WIRELESS COMMUNICATION DEVICE TO MANUALLY WRITE
36 OR SEND A WRITTEN MESSAGE AT THE TIME OF THE ACCIDENT.