



Bill Number: S.B. 1274

Farley Floor Amendment #1

Reference to: printed bill

Amendment drafted by: Aaron Latham

## FLOOR AMENDMENT EXPLANATION

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- 1. Prohibits an individual from operating a motor vehicle on a highway while using a wireless communication device to manually write, send or read a written message.**
- 2. Exempts the following individuals while in performance of official duties:**
  - a) law enforcement and safety personnel; and**
  - b) drivers of authorized emergency vehicles.**
- 3. Exempts the use of a wireless communication device for global positioning or navigation services.**
- 4. Classifies the offense as a nonmoving civil traffic violation.**
- 5. Establishes the following civil penalties for drivers not involved in a motor vehicle accident:**
  - a) \$100 for a first-time offense; and**
  - b) \$300 for a second or subsequent offense.**
- 6. Establishes the following civil penalties for offenders involved in a motor vehicle accident:**
  - a) \$500; or**
  - b) \$1,000 if the accident results in a person's death.**
- 7. Requires a law enforcement officer investigating a motor vehicle accident that requires a written accident report to indicate on the form that the driver was texting while driving, if the person is cited for violating the prohibition.**

Amendment explanation prepared by Aaron Latham

2/23/2015

FARLEY FLOOR AMENDMENT #1

SENATE AMENDMENTS TO S.B. 1274

(Reference to printed bill)

1 Page 1, between lines 1 and 2, insert:

2           “Section 1. Title 28, chapter 3, Arizona Revised Statutes, is amended  
3 by adding article 22, to read:

4           ARTICLE 22. TEXT MESSAGING WHILE DRIVING

5           28-1211. Text messaging while driving: prohibition: exceptions

6           A. A PERSON SHALL NOT OPERATE A MOTOR VEHICLE ON A HIGHWAY WHILE USING  
7 A WIRELESS COMMUNICATION DEVICE TO MANUALLY WRITE, SEND OR READ A WRITTEN  
8 MESSAGE.

9           B. THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:

10           1. LAW ENFORCEMENT AND SAFETY PERSONNEL WHILE IN PERFORMANCE OF  
11 OFFICIAL DUTIES.

12           2. DRIVERS OF AUTHORIZED EMERGENCY VEHICLES WHILE IN PERFORMANCE OF  
13 OFFICIAL DUTIES.

14           3. THE USE OF WIRELESS COMMUNICATION DEVICE FOR GLOBAL POSITIONING OR  
15 NAVIGATION SERVICES.

16           28-1212. Nonmoving violation: civil penalties: accident reports

17           A. A VIOLATION OF THIS ARTICLE IS A NONMOVING CIVIL TRAFFIC VIOLATION.  
18           B. IF A PERSON COMMITS A FIRST VIOLATION OF THIS ARTICLE AND THE  
19 PERSON IS NOT INVOLVED IN A MOTOR VEHICLE ACCIDENT, THE PERSON IS SUBJECT TO  
20 A CIVIL PENALTY OF ONE HUNDRED DOLLARS.

21           C. IF A PERSON COMMITS A SECOND OR SUBSEQUENT VIOLATION OF THIS  
22 ARTICLE AND THE PERSON IS NOT INVOLVED IN A MOTOR VEHICLE ACCIDENT, THE  
23 PERSON IS SUBJECT TO A CIVIL PENALTY OF THREE HUNDRED DOLLARS.

24           D. IF A PERSON VIOLATES THIS ARTICLE AND THE PERSON IS INVOLVED IN A  
25 MOTOR VEHICLE ACCIDENT, THE PERSON IS SUBJECT TO A CIVIL PENALTY OF FIVE  
26 HUNDRED DOLLARS EXCEPT THAT IF THE ACCIDENT RESULTS IN THE DEATH OF ANOTHER  
27 PERSON, THE PERSON IS SUBJECT TO A CIVIL PENALTY OF TEN THOUSAND DOLLARS.

Senate Amendments to S.B. 1274

1           E. IF A PERSON IS CITED FOR VIOLATING THIS ARTICLE, THE PERSON IS  
2       INVOLVED IN A MOTOR VEHICLE ACCIDENT AND A WRITTEN ACCIDENT REPORT IS  
3       REQUIRED PURSUANT TO ARTICLE 4 OF THIS CHAPTER, THE LAW ENFORCEMENT OFFICER  
4       INVESTIGATING THE ACCIDENT SHALL INDICATE ON THE WRITTEN ACCIDENT FORM THE  
5       PERSON'S USE OF A WIRELESS COMMUNICATION DEVICE TO MANUALLY WRITE, SEND OR  
6       READ A WRITTEN MESSAGE AT THE TIME OF THE ACCIDENT.”

7       Renumber to conform

8 Amend title to conform

2/16/15  
12:04 PM  
S: AL/dr