

**HOUSE BILL NO. 1830**

Offered January 12, 2005

Prefiled January 6, 2005

*A BILL to amend the Code of Virginia by adding a section numbered [46.2-1078.1](#), relating to the operation of motor vehicles while using certain wireless communication devices.*

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Patron-- Parrish

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Referred to Committee on Transportation  
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Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered [46.2-1078.1](#) as follows:

§ [46.2-1078.1](#). *Use of certain wireless communication devices prohibited in moving motor vehicles.*

*A. The use of a wireless communication device by the operator of a moving motor vehicle on a public road or highway is prohibited unless the device is designed for hands-free operation and is being used in that manner.*

*B. The prohibitions set forth in this section shall not be applicable if the operator:*

*1. Is performing his official duties as a law-enforcement officer, a member of a volunteer fire department, or an operator of an emergency vehicle as defined in § [46.2-920](#).*

*2. Has reason to fear for his life or safety, or is witness to or may be victim of a criminal act.*

*3. Is reporting an emergency, including but not limited to a fire, a traffic accident, or a serious road hazard.*

*C. For purposes of this section, wireless communication devices shall not include:*

*1. Electronic displays used in conjunction with vehicle navigation systems;*

*2. Closed-circuit video monitors designed to operate only in conjunction with dedicated video cameras and used in rearview systems on trucks and motor homes; and*

*3. Television receivers or monitors used in government-owned vehicles by law-enforcement officers and employees of the Virginia Department of Transportation in the course of their official duties.*

*D. No driver demerit points shall be assessed by the Department for this offense.*