
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 461 Session of
2017

INTRODUCED BY DeLUCA, SAMUELSON AND SCHLOSSBERG,
FEBRUARY 13, 2017

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 13, 2017

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in rules of the road in general, further providing
3 for prohibiting text-based communications.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 3316 of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 3316. Prohibiting text-based communications.

9 (a) Prohibition.--No driver shall operate a motor vehicle on
10 a highway or trafficway in this Commonwealth while using an
11 interactive wireless communications device to send, read or
12 write a text-based communication while the vehicle is in motion.
13 A person does not send, read or write a text-based communication
14 when the person reads, selects or enters a telephone number or
15 name in an interactive wireless communications device for the
16 purpose of activating or deactivating a voice communication or a
17 telephone call.

18 (b) (Reserved).

1 (c) Seizure.--The provisions of this section shall not be
2 construed as authorizing the seizure or forfeiture of an
3 interactive wireless communications device, unless otherwise
4 provided by law.

5 (d) Penalty.--A person who violates subsection (a) commits a
6 summary offense and shall, upon conviction, be sentenced to pay
7 a fine of \$50.

8 (e) Preemption of local ordinances.--In accordance with
9 section 6101 (relating to applicability and uniformity of
10 title), this section supersedes and preempts all ordinances of
11 any municipality with regard to the use of an interactive
12 wireless communications device to send, read or write a text-
13 based communication by the driver of a motor vehicle.

14 (f) Definition.--As used in this section, the term "text-
15 based communication" means a text message, instant message,
16 electronic mail or other written communication composed or
17 received on an interactive wireless communications device.

18 Section 2. This act shall take effect in 60 days.