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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 363 Session of  
2013

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INTRODUCED BY DELUCA, O'BRIEN, SCHLOSSBERG, MUNDY, PASHINSKI,  
KULA, DEAN, SANTARSIERO AND MURT, JANUARY 29, 2013

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REFERRED TO COMMITTEE ON TRANSPORTATION, JANUARY 29, 2013

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AN ACT

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