

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 7
OFFERED BY MR. ENGEL OF NEW YORK**

Page 91, line 19, strike “(11)”.

Page 507, line 16, strike “62.5” and insert “60.5”.

Page 508, after line 15, insert the following:

1 “(F) 2 percent only to States that have en-
2 acted and are enforcing a distracted driving
3 law, in the ratio that the population of each
4 such State bears to the total population of all
5 such States, as shown by the latest available
6 Federal census.

Page 520, after line 24, insert the following (and re-
designate subsequent paragraphs accordingly):

7 “(3) DISTRACTED DRIVING LAW.—
8 “(A) IN GENERAL.—The term ‘distracted
9 driving law’ means a law enacted by a State
10 that—
11 “(i) prohibits the use of a personal
12 wireless communications device by a driver
13 for texting while driving;

1 “(ii) prohibits a driver from holding a
2 personal wireless communications device to
3 conduct a telephone call while driving;

4 “(iii) allows the use of a hands-free
5 device by a driver, other than a driver who
6 has not attained the age of 18 years, for
7 initiating, conducting, or receiving a tele-
8 phone call;

9 “(iv) requires distracted driving issues
10 to be tested as part of the driver’s license
11 examination of the State;

12 “(v) makes violation of the law a pri-
13 mary offense;

14 “(vi) establishes—

15 “(I) a minimum fine for a first
16 violation of the law; and

17 “(II) increased fines for repeat
18 violations; and

19 “(vii) provides increased civil and
20 criminal penalties, as compared to those
21 that would otherwise apply, if a vehicle ac-
22 cident is caused by a driver who is using
23 a personal wireless communications device
24 in violation of the law.

1 “(B) DRIVING.—For purposes of this
2 paragraph, the term ‘driving’ means operating
3 a motor vehicle on a public road, including op-
4 eration while temporarily stationary because of
5 traffic, a traffic light, a stop sign, or another
6 reason. The term does not include operating a
7 motor vehicle when the vehicle has pulled over
8 to the side of, or off, an active roadway and has
9 stopped in a location where it can safely remain
10 stationary.

11 “(C) HANDS-FREE DEVICE.—For purposes
12 of this paragraph, the term ‘hands-free device’
13 means a device that allows a driver to use a
14 personal wireless communications device to ini-
15 tiate, conduct, or receive a telephone call with-
16 out holding the personal wireless communica-
17 tions device.

18 “(D) PERSONAL WIRELESS COMMUNICA-
19 TIONS DEVICE.—For purposes of this para-
20 graph, the term ‘personal wireless communica-
21 tions device’ means a device through which per-
22 sonal wireless services (as defined in section
23 332(c)(7)(C)(i) of the Communications Act of
24 1934 (47 U.S.C. 332(c)(7)(C)(i))) are trans-
25 mitted. The term does not include a global navi-

1 gation satellite system receiver used for posi-
2 tioning, emergency notification, or navigation
3 purposes.

4 “(E) PRIMARY OFFENSE.—For purposes of
5 this paragraph, the term ‘primary offense’
6 means an offense for which a law enforcement
7 officer may stop a vehicle solely for the purpose
8 of issuing a citation in the absence of evidence
9 of another offense.

10 “(F) TEXTING.—For purposes of this
11 paragraph, the term ‘texting’ means reading
12 from or manually entering data into a personal
13 wireless communications device, including doing
14 so for the purpose of SMS texting, e-mailing,
15 instant messaging, or engaging in any other
16 form of electronic data retrieval or electronic
17 data communication.

