

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 484: Texting; prohibit any motor vehicle operator age 18 or younger from while driving.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

11 **SECTION 1.** (1) For purposes of this section, the following
12 terms shall have the meanings ascribed in this subsection, unless
13 the context clearly indicates otherwise:

14 (a) "Hand-held mobile telephone" means a mobile
15 telephone or other portable electronic communication device with
16 which a user engages in a call or writes, sends or reads a text
17 message using at least one (1) hand. The term "hand-held mobile
18 telephone" does not include a voice-operated or hand-free device;

19 (b) "Motor vehicle" means a vehicle driven or drawn by
20 mechanical power and manufactured primarily for use on public
21 highways;

22 (c) "Social networking site" means any web-based
23 service that allows individuals to construct a profile within a



24 founded system, articulate a list of other users with whom they
25 share a connection, and communicate with other users of the site.

26 (d) "Text message" includes a text-based message,
27 instant message, electronic message, and e-mail, but shall not
28 include an emergency, traffic or weather alert or a message
29 related to the operation or navigation of the motor vehicle;

30 (e) "Voice-operated or hands-free device" means a
31 device that allows the user to write, send, or read a text message
32 without the use of either hand except to activate, deactivate, or
33 initiate a feature or function; and

34 (f) "Writing," "sending" and "reading," with respect to
35 a text message, mean the manual entry, sending, or retrieval of a
36 text message, respectively, to communicate with any person or
37 device.

38 (2) An operator of a moving motor vehicle is prohibited from
39 writing, sending or reading a text message and from accessing,
40 reading or posting to a social networking site using a hand-held
41 mobile telephone.

42 (3) A violation of this section is a civil violation, and
43 upon being found in violation, is punishable by a civil penalty of
44 Twenty-five Dollars (\$25.00) for violations committed until July
45 1, 2015, and One Hundred Dollars (\$100.00) for violations
46 committed from and after July 1, 2015. The state assessments
47 under Section 99-19-73, shall not be imposed and collected for a
48 violation under this section.



49 **SECTION 2.** Section 63-1-73, Mississippi Code of 1972, which
50 prohibits texting while driving under certain licenses, is
51 repealed.

52 **SECTION 3.** This act shall take effect and be in force from
53 and after July 1, 2014.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO PROHIBIT PERSONS FROM OPERATING A MOTOR VEHICLE
2 WHILE USING A HAND-HELD MOBILE TELEPHONE TO WRITE, SEND OR READ A
3 TEXT MESSAGE AND FROM USING A SOCIAL NETWORKING SITE WHILE THE
4 MOTOR VEHICLE IS MOVING; TO PROVIDE A VIOLATION IS A CIVIL
5 VIOLATION WITH A CIVIL PENALTY OF ONE HUNDRED DOLLARS; TO REPEAL
6 SECTION 63-1-73, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS TEXTING
7 WHILE DRIVING UNDER CERTAIN LICENSES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

X (SIGNED)
Johnson

X (SIGNED)
Simmons (13th)

X (SIGNED)
Bailey

X (SIGNED)
Doty

X (SIGNED)
Ladner

X (SIGNED)
Hudson

