

By: Representative White

To: Transportation

HOUSE BILL NO. 900

1 AN ACT TO AMEND SECTION 63-33-1, MISSISSIPPI CODE OF 1972, TO  
2 DELETE THE REPEALER ON THE STATUTE PROHIBITING TEXTING AND USING  
3 SOCIAL NETWORKING SITES ON A HAND-HELD MOBILE TELEPHONE WHILE  
4 OPERATING A MOTOR VEHICLE; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 63-33-1, Mississippi Code of 1972, is  
7 amended as follows:

8 63-33-1. (1) For purposes of this section, the following  
9 terms shall have the meanings ascribed in this subsection, unless  
10 the context clearly indicates otherwise:

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

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



20 (c) "Social networking site" means any web-based  
21 service that allows individuals to construct a profile within a  
22 founded system, articulate a list of other users with whom they  
23 share a connection, and communicate with other users of the site;

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

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

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

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

40 (3) A violation of this section is a civil violation, and  
41 upon being found in violation, is punishable by a civil penalty of  
42 Twenty-five Dollars (\$25.00) for violations committed until July  
43 1, 2016, and One Hundred Dollars (\$100.00) for violations



44 committed from and after July 1, 2016. No state assessments shall  
45 be imposed or collected for a violation under this section.

46 (4) The Department of Public Safety shall keep and maintain  
47 records of citations issued under this section, including the age  
48 and race of the vehicle operator, whether there was an additional  
49 traffic violation by the vehicle operator, and whether there was a  
50 crash or any damage to a vehicle or passenger at the time of the  
51 citation.

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53 **SECTION 2.** This act shall take effect and be in force from  
54 and after July 1, 2018.

