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:

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

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

“(3) DISTRACTED DRIVING LAW.—

“(A) IN GENERAL.—The term ‘distracted driving law’ means a law enacted by a State that—

“(i) prohibits the use of a personal wireless communications device by a driver for texting while driving;
“(ii) prohibits a driver from holding a personal wireless communications device to conduct a telephone call while driving;

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

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

“(v) makes violation of the law a primary offense;

“(vi) establishes—

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

“(II) increased fines for repeat violations; and

“(vii) provides increased civil and criminal penalties, as compared to those that would otherwise apply, if a vehicle accident is caused by a driver who is using a personal wireless communications device in violation of the law.
“(B) DRIVING.—For purposes of this paragraph, the term ‘driving’ means operating a motor vehicle on a public road, including operation while temporarily stationary because of traffic, a traffic light, a stop sign, or another reason. The term does not include operating a motor vehicle when the vehicle has pulled over to the side of, or off, an active roadway and has stopped in a location where it can safely remain stationary.

“(C) HANDS-FREE DEVICE.—For purposes of this paragraph, the term ‘hands-free device’ means a device that allows a driver to use a personal wireless communications device to initiate, conduct, or receive a telephone call without holding the personal wireless communications device.

“(D) PERSONAL WIRELESS COMMUNICATIONS DEVICE.—For purposes of this paragraph, the term ‘personal wireless communications device’ means a device through which personal wireless services (as defined in section 332(c)(7)(C)(i) of the Communications Act of 1934 (47 U.S.C. 332(c)(7)(C)(i))) are transmitted. The term does not include a global navi-
igation satellite system receiver used for positioning, emergency notification, or navigation purposes.

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

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