

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 558

Short Title: Study/Texting While Driving Enforcement. (Public)

Sponsors: Representatives Ross, Faircloth, Hardister, and McNeill (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary II

April 5, 2017

1 A BILL TO BE ENTITLED
2 AN ACT DIRECTING THE DEPARTMENT OF JUSTICE AND PUBLIC SAFETY TO
3 STUDY HOW TO IMPROVE ENFORCEMENT OF THE LAWS PROHIBITING THE
4 UNLAWFUL USE OF A MOBILE PHONE WHILE OPERATING A MOTOR
5 VEHICLE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Study. – The Department of Justice and Public Safety, in consultation
8 with the Department of Transportation, the Conference of District Attorneys, the
9 Administrative Office of the Courts, the North Carolina Sheriffs' Association, and the North
10 Carolina Association of Chiefs of Police, shall study how to improve enforcement of the laws
11 prohibiting the unlawful use of a mobile phone while operating a motor vehicle. The study
12 required by this section shall include at least all of the following:

- 13 (1) For the period from 2009 through 2016, the number of charges, convictions,
14 and dismissals for violations of G.S. 20-137.3, 20-137.4, and 20-137.4A.
15 (2) The issues that are preventing enforcement of the laws identified in
16 subdivision (1) of this section.
17 (3) The issues that are preventing the prosecution for violations of the laws
18 identified in subdivision (1) of this section.
19 (4) The resources, including any legislative revisions, that would aid law
20 enforcement and the courts in addressing (i) the issues identified in
21 subdivisions (2) and (3) of this section and (ii) issues with highway safety in
22 general.
23 (5) A survey of how other states address the unlawful use of a mobile phone
24 while operating a motor vehicle, including an identification of any relevant
25 laws.
26 (6) An identification of any new technologies used by operators of motor
27 vehicles that cause distraction and are not subject to the laws identified in
28 subdivision (1) of this section.
29 (7) Any other issues the Department of Justice and Public Safety determines to
30 be relevant to the study required under this section.

31 **SECTION 2.** Report. – The Department of Justice and Public Safety shall report its
32 findings, including any legislative recommendations, to the Joint Legislative Oversight
33 Committee on Justice and Public Safety and the Joint Legislative Transportation Oversight
34 Committee by March 1, 2018.

35 **SECTION 3.** Effective Date. – This act is effective when it becomes law.

