



SPONSOR: Rep. Hudson & Sen. Peterson & Sen. Townsend;
Rep. Outten, Baumbach, Bolden, B. Short, K. Williams;
Sen. Lavelle

HOUSE OF REPRESENTATIVES
148th GENERAL ASSEMBLY

HOUSE BILL NO. 302

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ELECTRONIC COMMUNICATION DEVICES AND PENALTIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 4176C, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4176C Electronic communication devices; penalties.

(a) No person shall drive a motor vehicle on any highway while using an electronic communication device while such motor vehicle is in motion.

(d) Whoever violates this section shall for the first offense be subject to a civil penalty of ~~\$50~~ \$100. For each subsequent offense the person shall be subject to a civil penalty of not less than ~~\$100~~ \$200 nor more than ~~\$200~~ \$300.

(e) No motor vehicle points shall be assessed for a first violation of this section. Any second or subsequent violation of this section shall be assessed points pursuant to this chapter. ~~Additionally, a violation of this section shall not be made a part of a person's driving record unless that person was operating a commercial motor vehicle at the time of violation.~~

SYNOPSIS

Currently many drivers, particularly novice drivers, ignore the laws prohibiting texting and handheld-phone use while driving, and the penalties are not enough to discourage such behavior. This bill increases the penalties for the improper use of electronic communication devices while driving. The civil penalty for a first offense is increased from \$50 to \$100 and for subsequent offenses is increased to \$200 up to \$300. Additionally, points will be assessed for second or subsequent offenses. This bill is supported by Delaware AAA.