



## Legislation Text

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**File #:** ORD. 2019-288, **Version:** 1

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To amend ch. 27, art. II of the City Code by adding therein a new § 27-40.1, concerning distracted driving, for the purpose of prohibiting distracted driving while using a handheld personal communications device. (As Amended)

THE CITY OF RICHMOND HERBY ORDAINS:

§ 1. That Chapter 27, Article II of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** section numbered 27-40.1 as follows:

**Sec. 27-40.1. Distracted driving.**

(a) Any person who drives a motor vehicle on any public street or highway in the city while using any handheld personal communications device [~~where such use diverts such person's attention from the operation of the motor vehicle~~] is guilty of distracted driving.

(b) The provisions of this section shall not apply to an operator (i) of any emergency vehicle while the operator is engaged in the performance of the operator's official duties; (ii) who is lawfully stopped or parked; (iii) who is using a handheld personal communications device to report an emergency; or (iv) who is using a handheld radio-based communications device during an emergency or disaster relief operation.

(c) A violation of this section shall constitute a separate and distinct offense. The provisions of this section shall not preclude prosecution under any other statute or ordinance.

(d) A violation of this section is a traffic infraction punishable for a first offense by a fine of \$125.00 and for a second or subsequent offense by a fine of \$250.00, which shall be paid to the City treasury.

§ 2. This ordinance shall be effective 180 days after the date of adoption.