



## Legislation Details (With Text)

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**File created:** 2/1/2010      **In control:** Rules & Reference Committee

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**Title:** To amend Chapter 2131 by enacting new Section 2131.44 of the Columbus City Codes, 1959, to prohibit the use of a mobile communication device inside a motor vehicle to compose, send, or read a text message while driving.

**Sponsors:** Andrew Ginther

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
4/6/2010	1	MAYOR	Signed	
4/6/2010	1	CITY CLERK	Attest	
4/5/2010	1	Columbus City Council	Approved	Pass
4/5/2010	1	COUNCIL PRESIDENT	Signed	
3/29/2010	1	Columbus City Council	Read for the First Time	
3/23/2010	1	CITY ATTORNEY	Reviewed and Approved	
3/23/2010	1	Council Drafter	Sent to Clerk's Office for Council	
3/22/2010	1	Council Drafter	Sent for Approval	
3/22/2010	1	COUNCIL PRESIDENT (approver)	Reviewed and Approved	
3/22/2010	1	Council Drafter	Sent for Approval	

The purpose of this ordinance is to improve roadway safety for all vehicle operators, passengers, bicyclists, pedestrians, and other road users by prohibiting the use of mobile communication devices to compose, send, or read text messages while driving - a practice commonly referred to as texting while driving.

The ordinance also aims to prevent crashes related to texting while driving, and to reduce the fatalities, injuries, and property damage that often result. Moreover, the ordinance will likely have a positive impact on health care costs, health insurance and automobile insurance rates related to motor vehicle crashes.

This ordinance effectively prohibits the use of a mobile communication device to read, write or send text messages while driving, and likewise, the use any said device to send, read, create, play or interact with internet-based content.

The ordinance does provide an exception for persons using a phone or other mobile communication device to report a health or safety emergency, and it does not apply to any person using a mobile communications device in a vehicle while the vehicle is stopped and removed from the flow of traffic. The ordinance does not prohibit the use of mobile communication devices by passengers.

Any violation of the ordinance is a minor misdemeanor, punishable by a maximum fine of \$150.00.

To amend Chapter 2131 by enacting new Section 2131.44 of the Columbus City Codes, 1959, to prohibit the use of a mobile communication device inside a motor vehicle to compose, send, or read a text message while driving.

**WHEREAS**, the National Highway Traffic Safety Administration (NHTSA) found that 80 percent of all motor vehicle accidents involve distracted drivers; and

**WHEREAS**, in 2008, nearly 6,000 people died in crashes involving a distracted or an inattentive driver, and more than half a million were injured; and

**WHEREAS**, according to the NHTSA, there are three main types of distraction: Visual - taking your eyes off the road; Manual - taking your hands off the wheel; and Cognitive - taking your mind off what you're doing; and

**WHEREAS**, while all distractions can endanger drivers' safety, texting while driving is considered to be especially dangerous because it involves all three types of distraction; and

**WHEREAS**, texting while driving has been shown to greatly increase the risk of accidents, especially among younger drivers; and

**WHEREAS**, the need exists to improve roadway safety for all vehicle operators, passengers, bicyclists, pedestrians, and other road users by prohibiting texting while driving; now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:**

**Section 1.** That new Section 2131.44 of the Columbus City Codes, 1959, be and is hereby enacted to read as follows:

**2131.44 Sending, reading or writing a text message or accessing the internet while driving.**

(a) As used in this section:

(1) "Text message" means a message sent, stored or received via a mobile communication device. For purposes of this section, an e-mail message shall be considered a text message.

(2) "Mobile communication device" means any portable electronic device capable of transmitting or receiving data in the form of a text message or capable of accessing the internet, including but not limited to a wireless telephone, a text-messaging device, a personal digital assistant, or a personal computer.

(b) No person shall operate a motor vehicle while using a mobile communication device to:

(1) Compose, send or read a text message; or

(2) Send, read, create, play or interact with internet- based content.

(c) Notwithstanding the provisions of division (b), this section shall not be construed to prohibit the use of a mobile communication device inside a motor vehicle by:

(1) a driver using a mobile communication device to report a health or safety emergency; or

(2) a driver using a mobile communication device while the motor vehicle is parked, standing or stopped and is removed from the flow of traffic, in accordance with applicable laws or rules, or is stopped due to the inoperability of such vehicle; or

(3) a driver using a mobile communication device in the course of the driver's duties while operating an emergency or public safety

vehicle.

(d) Whoever violates this section is guilty of a minor misdemeanor.

**Section 2.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.