

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

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**HOUSE BILL 558
PROPOSED COMMITTEE SUBSTITUTE H558-PCS40555-BK-18**

Short Title: Study/Texting While Driving Enforcement.

(Public)

Sponsors:

Referred to:

April 5, 2017

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

The General Assembly of North Carolina enacts:

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

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

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

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



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