

## PROHIBIT INTERACTIVE COMMUNICATION OR SOCIAL MEDIA ACCESS WHILE DRIVING AND USE BY A MINOR OF A CELL PHONE WHILE DRIVING

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

Analysis available at  
<http://www.legislature.mi.gov>

**House Bill 4198 as introduced**  
**Sponsor: Rep. Triston Cole**  
**Committee: Transportation**  
**Complete to 4-29-19**

### SUMMARY:

House Bill 4198 would amend the Michigan Vehicle Code to prohibit an individual from texting, emailing, instant messaging, or engaging with social media sites while driving. The bill would also prohibit the use of a cell phone while driving by any individual who is under 18 years of age.

Section 602b of the Vehicle Code currently prohibits a person from reading, manually typing, or sending a text message on a wireless two-way communication device located in his or her hand or lap while operating a commercial motor vehicle or school bus or while operating a noncommercial motor vehicle that is moving.

The bill would amend these provisions to prohibit a person from reading, viewing, manually typing, or sending an *interactive communication* or accessing, reading, or posting to a social media site on such a device while operating a vehicle. The bill would also add that “wireless two-way communication device” includes a computer.

*Interactive communication* would mean a text message, an instant message, email, or any other text- or image-based communication.

Section 602c of the Vehicle Code currently prohibits an individual with a level 1 or level 2 graduated driver’s license from using a cell phone while operating a motor vehicle. (Level 1 and level 2 graduated licenses are restricted licenses issued in conjunction with driver education courses, the accumulation of behind-the-wheel experience, and related testing and other criteria.) The prohibition does not apply if the phone is being used to report a traffic accident, medical emergency, serious road hazard, crime, or threat to personal safety or if the individual is using a voice-operated system that is integrated into the vehicle.

The bill would extend the above prohibition against using a cell phone while driving, and the above exceptions, to also apply to all individuals under the age of 18.

Under both current law and the bill, using a cell phone is defined to mean making a call, answering a call, or listening to or engaging in verbal communication over the phone.

MCL 257.602b and 257.602c

**FISCAL IMPACT:**

House Bill 4198 would have an indeterminate fiscal impact on the state and on local units of government. The fiscal impact on local court systems would depend on how provisions of the bill affected caseloads and related administrative costs. As provided in the Vehicle Code for civil infractions under the Code, civil fine revenues would be applied to the support of public and county law libraries.

Legislative Analyst: E. Best  
Fiscal Analyst: Robin Risko

---

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.