

SENATE No. 2514

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act relative to texting while driving in the city of Springfield..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding section 13 of chapter 90 of the General Laws, or any other
2 general or special law to the contrary, a person operating a moving motor vehicle in the City of
3 Springfield who, by means of a mobile telephone or an electronic wireless communications
4 device, other than a voice-activated global positioning or navigation system, sends, reads, or
5 writes a text message of any kind, including but not limited to Short Message Service (SMS)
6 messages, electronic mail, or sending text via the World Wide Web or similar communications
7 protocols, shall be responsible for a civil automobile law violation as defined in M.G.L. c. 90C,
8 section 1. As used in this act, a mobile telephone means an electronic wireless device that has an
9 internal feature or function for wireless communications that shall include, but is not limited to,
10 talking or listening to another person on the telephone, text messaging, or sending or receiving
11 any electronic text or message to or from other electronic communication devices or services.

12 SECTION 2. Violations of Section 1 of this act shall be punished by a fine of one
13 hundred (\$100) dollars for the first offense, two hundred (\$200) dollars for a second offense, and
14 three hundred (\$300) dollars for subsequent offenses committed during any twelve-month

15 period. The fines imposed pursuant to this act shall be divided as follows: seventy five (75%)
16 percent of the fines shall be paid to the treasury of the City of Springfield; and twenty-five (25%)
17 percent of the fines shall be paid to the treasurer of the Commonwealth to be deposited in the
18 highway fund.

19 SECTION 3. Any law enforcement officer with jurisdiction in the City of Springfield is
20 authorized to enforce the provisions of this act. Said law enforcement officer may stop the motor
21 vehicle and issue a citation to the operator, but only if the officer observes the violation, as
22 defined in section 1, or has reasonable grounds to believe that a violation of section one has been
23 committed, is being committed, or is about to be committed. Notwithstanding the provisions of
24 this act, all other administrative enforcement and appeal procedures that apply to chapter 90,
25 section 13 of the General Laws shall apply to this act.

26 SECTION 4. The provisions of this act shall take effect upon its passage.