

SENATE BILL

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO MOTOR VEHICLES; PROHIBITING TEXTING WHILE DRIVING;
PROVIDING EXCEPTIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Motor Vehicle Code is
enacted to read:

"[NEW MATERIAL] TEXTING WHILE DRIVING.--

A. A person shall not read, view, type or send a
text message on a mobile communication device while driving a
motor vehicle, except:

(1) to summon medical or other emergency help;

or

(2) in the operation of an authorized law
enforcement or emergency vehicle as required by the driver's
official duties.

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underscored material = new
[bracketed material] = delete

1 B. As used in this section:

2 (1) "driving" means being in actual physical
3 control of a motor vehicle on a highway or street, but
4 "driving" does not include being safely stopped;

5 (2) "mobile communication device" means a
6 wireless communication device that is designed to receive and
7 transmit text or image messages, but "mobile communication
8 device" does not include a global positioning or navigation
9 system; and

10 (3) "text message" means a digital
11 communication transmitted or intended to be transmitted to a
12 communication device and includes electronic mail, an instant
13 message, a text or image communication or any command or
14 request to an internet site."

15 SECTION 2. EFFECTIVE DATE.--The effective date of the
16 provisions of this act is July 1, 2013.

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