

ASSEMBLY BILL

No. 1783

Introduced by Assembly Members Firebaugh and Rod Pacheco

January 14, 2002

An act to add Section 23101 to the Vehicle Code, relating to driving.

LEGISLATIVE COUNSEL'S DIGEST

AB 1783, as introduced, Firebaugh. Driving.

Under existing law, motor vehicle operation is closely regulated, and drivers must follow myriad legal requirements or face criminal sanction. Under existing law, driving to the left of a double yellow line, making an unsafe lane change, or driving faster than is reasonable and prudent under the circumstances, or at a speed which endangers the safety of persons or property are all infractions. In addition, it is a misdemeanor to drive any vehicle upon a highway in willful or wanton disregard for the safety of persons or property.

This bill would make it an infraction to drive a motor vehicle in an unsafe manner that results from engaging in any distracting activity that interferes with the safe operation of the vehicle. By creating a new infraction, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 23101 is added to the Vehicle Code, to
2 read:
3 23101. Any person who drives a motor vehicle in an unsafe
4 manner that results from engaging in any distracting activity that
5 interferes with the safe operation of the vehicle is guilty of
6 inattentive driving, an infraction. For purposes of this section,
7 “distracting activity” includes, but is not limited to, responding to
8 events, persons or objects outside the motor vehicle not related to
9 the safe operation of the vehicle, personal grooming, food
10 consumption, use of an electronic device such as a radio, personal
11 digital assistant, or wireless telephone, reading, or interactions
12 with passengers or pets.
13 SEC. 2. No reimbursement is required by this act pursuant to
14 Section 6 of Article XIII B of the California Constitution because
15 the only costs that may be incurred by a local agency or school
16 district will be incurred because this act creates a new crime or
17 infraction, eliminates a crime or infraction, or changes the penalty
18 for a crime or infraction, within the meaning of Section 17556 of
19 the Government Code, or changes the definition of a crime within
20 the meaning of Section 6 of Article XIII B of the California
21 Constitution.

