

1 **Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by**
2 **Amending Chapter 21, Motor Vehicles and Traffic, Article IV Entitled, “Operation of**
3 **Vehicles - Generally” Pertaining to Districted Driving Through Use of a Handheld Personal**
4 **Communications Device.**

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6 **BE IT ORDAINED** by the City Council of the City of Hampton, Virginia, that Section 21-113 of
7 Article IV, Chapter 21 of the City Code of the City of Hampton, Virginia be adopted to read as
8 follows:

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10 **Chapter 21 – MOTOR VEHICLES AND TRAFFIC**

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14 **ARTICLE IV. – OPERATION OF VEHICLES GENERALLY**

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18 ***Sec. 21-113. – Improper driving; use of handheld communication device while driving***
19 ***vehicle.***

- 20 *A. Any person who drives a motor vehicle on any public street or highway in the city while*
21 *using any handheld personal communications device where such use diverts the*
22 *driver’s attention from the operation of the motor vehicle is guilty of distracted driving.*
23 *B. The provisions of this section shall not apply to an operator (i) of any emergency vehicle*
24 *while he is engaged in the performance of his official duties; (ii) who is lawfully stopped*
25 *or parked; (iii) using a handheld personal communications device to report an*
26 *emergency; or, (iv) using a handheld radio-based communications device during an*
27 *emergency or disaster relief operation.*
28 *C. A violation of this section shall constitute a separate and distinct offense. The*
29 *provisions of this section shall not preclude prosecution under any other statute.*
30 *D. A violation of this section is a traffic infraction punishable, for a first offense by a fine of*
31 *\$125.00 and, for a second or subsequent offense, by a fine of \$250.00.*

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33 **Secs. 21-113~~4~~ – 21-125. – Reserved.**