

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 37 Session of
2023

INTRODUCED BY BROWN, LANGERHOLC, FLYNN, STEFANO, SCHWANK,
SANTARSIERO AND CULVER, APRIL 10, 2023

AMENDMENTS TO HOUSE AMENDMENTS, IN SENATE, MAY 6, 2024

AN ACT

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in licensing of drivers, further providing for learners' permits and for examination of applicant for driver's license ; in rules of the road in general, further providing for prohibiting text-based communications and providing for prohibiting use of interactive mobile device; in miscellaneous provisions relating to serious traffic offenses, further providing for the offense of homicide by vehicle and for the offense of aggravated assault by vehicle; in enforcement, providing for data collection and reporting relating to traffic stops; and imposing penalties.

This act may be referred to as Paul Miller's Law.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The definition of "interactive wireless communications device" in section 102 of Title 75 of the Pennsylvania Consolidated Statutes is amended to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when

used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

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"Interactive [wireless communications] mobile device." A handheld wireless telephone, personal digital assistant, smart phone, portable or mobile computer or similar device which can be used for voice communication, texting, [e-mailing] emailing, browsing the Internet [or], instant messaging[.], playing games, taking or transmitting images, recording or broadcasting videos, creating or sharing social media or otherwise sending or receiving electronic data. The term does not include any of the following:

(1) a device being used exclusively as a global positioning or navigation system;

(2) a [system or] device that is being used in a hands-free manner or with a hands-free accessory or system, including one that is physically or electronically integrated into the vehicle; [or]

(3) a [communications] device that is affixed to a mass transit vehicle, bus or school bus[.];

(4) A MOBILE OR HANDHELD RADIO BEING USED BY A PERSON WITH AN AMATEUR RADIO STATION LICENSE ISSUED BY THE FEDERAL COMMUNICATIONS COMMISSION;

~~(4)~~ (5) a device being used exclusively for emergency notification purposes;

~~(5)~~ (6) a device being used exclusively by an emergency service responder while operating an emergency vehicle and engaged in the performance of duties; or

~~(6)~~ (7) a device being used exclusively by a commercial