

## ORDINANCE 09-05

AN ORDINANCE OF THE CITY OF ROSWELL RELATING TO MOTOR VEHICLES; PROHIBITING THE OPERATION OF A MOTOR VEHICLE WHILE READING, WRITING OR SENDING ELECTRONIC MESSAGES; AND PROVIDING A PENALTY

Ordinance 09-05 will be added to the Roswell City Code as follows:

### Section 24-10. Text-Based Communication Prohibited.

- A. No person shall operate a motor vehicle while using any electronic wireless communications device to write, send or read a text-based or email communication except:
- 1) to report illegal activity;
  - 2) to summon medical or other emergency help;
  - 3) to prevent injury to a person or property;
  - 4) while the motor vehicle is lawfully parked;
  - 5) in the operation of an authorized emergency vehicle;
  - 6) to relay information between a transit or for-hire operator and that operator's dispatcher when the device is permanently affixed to the vehicle.
- B. For purposes of this section, a person is not writing, reading or sending a text-based communication if the person reads, selects or enters a telephone number or name in a device for the purpose of making or receiving a telephone call.
- C. All terms in this section will be interpreted in compliance with the Uniform Traffic Code.
- D. The penalty for violation of this section will be fifty dollars (\$50.00), plus any applicable court costs which may be assessed.

Repealer. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such conflict or inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

Severability. If any section, paragraph, clause or provision of this ordinance for any reason shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any other part of this ordinance.

Effective Date. This ordinance shall be effective five (5) days following its publication.

PASSED, ADOPTED, SIGNED AND APPROVED, this 13<sup>th</sup> day of August, 2009.

CITY SEAL

  
\_\_\_\_\_  
SAM LAGRONE, MAYOR

ATTEST:

  
\_\_\_\_\_  
DAVE KUNKO, CITY CLERK