

**From:** [Mike Culpepper](#)  
**To:** [Aileen Bittner](#)  
**Subject:** FW: Council Referral - Distracted Driving  
**Date:** Thursday, July 19, 2012 8:49:55 AM

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**From:** Dave Henderson [<mailto:davehenderson@wideopenwest.com>]  
**Sent:** Wednesday, July 18, 2012 6:35 PM  
**To:** Mike Culpepper  
**Cc:** Lori G Bluhm  
**Subject:** Council Referral - Distracted Driving

Mike

I would like to add this to the agenda for Monday July 23<sup>rd</sup>

RESOLVED, That Troy City Council hereby DIRECTS City Administration to prepare an amendment to Chapter 106 – Traffic by deleting part 3. of Section 1.20.05.

Thanks

Dave

1.0 **WORDS AND PHRASES DEFINED**

1.01.00 Words and phrases.

The following words and phrases when used in this code shall, for the purpose of this code, have the meanings respectively ascribed to them in this chapter. Whenever any word or phrase used in this code is not defined herein but is defined in Act No. 300 of the Public Acts of 1949, as amended, being §257.1 et seq. of the Michigan Compiled Laws, the definition therein shall be deemed to apply to the words and phrases used in this code.

1.20.05 **“Distracted Driving”** means the following:

1. The physical manipulation of any 2-way wireless electronic communication device used for dialing numbers; or scrolling; or typing or entering multiple letters, numbers, symbols, or other text; or the sending, receiving, and reading of any non-voice data in the device while the motor vehicle is in motion on any highway or street or place open to the general public within the City of Troy. As used in this subsection, a wireless 2-way communication device does not include a global positioning or navigation system that is affixed to the motor vehicle.
2. The physical manipulation or handling of any wireless entertainment or electronic communication device for the purpose of speaking into, or listening to voice data, while the motor vehicle is in motion on any highway or street or place open to the general public within the City of Troy; or
3. Any action by the driver of a motor vehicle that diverts his or her attention resulting in the failure to use due care and caution in the safe operation of a motor vehicle while the vehicle is in motion on any highway or street or place open to the general public within the City of Troy. Such action can include but is not limited to: eating, reading, writing, performing personal hygiene/grooming, physical interaction with pets, passengers, or unsecured cargo, any of which is done in a manner that prohibits the driver from maintaining direct physical control of the motor vehicle steering mechanism with at least one hand that is free of all other objects and used entirely to form a controlled grip on the steering mechanism.

(07-12-2010)

1.02.00 **“Act”** means Act No. 300 of the Public Acts of 1949, as amended, being §257.1 et seq. of the Michigan Compiled Laws.

1.03.00 **“Alcoholic liquor”** means any spirituous, vinous, malt, or fermented liquor, liquids and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing 1/2 of 1% or more of alcohol by volume which are fit for use for beverage purposes.