

# Top Negotiators Say They Have Distracted Driving Bill Deal



In this Thursday, May 16, 2019 photo, a driver uses a cell phone while driving in Portland, Maine. (AP Photo/Robert F. Bukaty)

By [CHRIS LISINSKI](#) | November 15, 2019 at 9:18 pm

BOSTON — House and Senate negotiators announced Friday they reached an agreement to resolve distracted driving legislation that has been stalled for months, but they declined to share details of the compromise.

Rep. William Straus and Sen. Joseph Boncore, who have been co-chairing a six-member conference committee since June, said in a joint statement at around 7:15 p.m. Friday that they settled on terms and signed a report that will likely eventually lead to votes next week in the House and Senate on a final bill.

The bills (H 3793 / S 2250) approved earlier this year by the House and Senate require any use of an electronic device behind the wheel to be in hands-free mode, an attempt to address an epidemic of distracted driving exacerbated by the state's current texting-while-driving ban that law enforcement deems unenforceable.

The bills also call for monitoring of traffic stop data to track for potential racial profiling, but differences in how that policy would be implemented split the committee and left them unable to finish their work. Members reached an "agreement in principle" on July 31 after about six weeks of private talks, but that deal collapsed as the night wore on.

Since the summer, supporters of the underlying legislation — which passed by unanimous or near-unanimous margins in both branches and had support from Gov. Charlie Baker — have criticized lawmakers for inaction.

The chairmen announced their agreement ahead of a vigil planned for Sunday afternoon outside the Statehouse where the Massachusetts Vision Zero Coalition has announced plans to remember victims killed in traffic crashes, highlight the increasing rate of pedestrians and bicyclists killed, and call for the bill's passage.

The House version of the bill would track only stops ending in citations and would not make the raw data available to the public, while the Senate bill would record demographic data at every stop and make the information more publicly accessible.

While claiming agreement, Straus and Boncore did not reveal which approach the compromise bill takes, saying only that the "new legislation will restrict the use of hand-held cell phones while operating a motor vehicle and update existing law regarding racial profiling by law enforcement."

“The chairs anticipate the filing of the Conference Report with the House Clerks office on Monday, November 18, 2019 with review by the full membership of the House and Senate during the week,” they wrote. “The final Conference Report language will be released upon its filing with the House Clerk.”

The other four conference committee members — Sens. William Brownsberger and Dean Tran and Reps. Joseph Wagner and Timothy Whelan — have not signed the report, Straus and Boncore said, but it is being circulated for their signatures.

The committee needs majority support from both the House and Senate conferees to advance their proposal to the full Legislature.

Under joint rules governing the branches, lawmakers must conclude all formal business for 2019 by Wednesday, Nov. 20. Informal sessions will continue through December, with formal sessions resuming in January.