



1997 ASSEMBLY BILL 754

January 27, 1998 - Introduced by Representatives BAUMGART and AINSWORTH, by request of Mr. Jerome Den Boer. Referred to Committee on Highways and Transportation.

1 **AN ACT** *to amend* 346.95 (2); and *to create* 346.89 (3) of the statutes; **relating**
2 **to:** the use of a mobile communications device while operating a motor vehicle
3 and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits inattentive driving. The driver of a motor vehicle is prohibited from being so engaged or occupied as to interfere with the safe driving of the vehicle. Violators may be required to forfeit not less than \$20 nor more than \$400.

This bill prohibits the driver of a motor vehicle from communicating to another through the use of a cellular telephone or similar mobile telecommunications device while the vehicle is in motion. The penalty for a violation is the same as that for inattentive driving. This prohibition does not apply to law enforcement officers driving police vehicles or other operators of authorized emergency vehicles, nor does the bill affect a passenger's ability to use a mobile telecommunications device.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 346.89 (3) of the statutes is created to read:
5 346.89 (3) No operator of a motor vehicle may communicate to another through
6 use of a cellular telephone, personal communications service or other mobile service,
7 as defined in 47 USC 153 (27), while that vehicle is in motion. This section does not
8 apply to the operator of an authorized emergency vehicle.

