



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-3837/1  
EVM:kjf:rs

## 2013 ASSEMBLY BILL 639

January 21, 2014 - Introduced by Representatives SPIROS, BIES, BALLWEG, BERCEAU, KLEEFISCH, KULP, OHNSTAD, PETRYK and WRIGHT, cosponsored by Senators PETROWSKI, CARPENTER, LASSA, LEHMAN and OLSEN. Referred to Committee on Transportation.

1     **AN ACT to amend** 346.95 (1); and **to create** 346.89 (5) of the statutes; **relating**  
2           **to:** the use of a cellular or other wireless telephone while driving a motor vehicle  
3           in a construction zone and providing a penalty.

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### *Analysis by the Legislative Reference Bureau*

Current law prohibits inattentive driving of a motor vehicle, which includes: 1) being so engaged or occupied, while driving a motor vehicle, as to interfere with the safe driving of the vehicle; 2) driving a motor vehicle while composing or sending an electronic text message or an e-mail message, subject to various exceptions; and 3) a probationary license or instructional permit holder driving a motor vehicle while using a cellular or other wireless telephone. Any person convicted of the first two forms of inattentive driving may be required to forfeit not less than \$20 nor more than \$400 and any person convicted of the third form of inattentive driving may be required to forfeit not less than \$20 nor more than \$40 for a first offense and not less than \$50 nor more than \$100 for a second or subsequent offense within a year.

This bill prohibits a person from driving a motor vehicle while using a cellular or other wireless telephone in a construction zone, unless the person uses the telephone without the use of his or her hands. The prohibition includes using the telephone for a purpose other than communication. Persons who violate this prohibition may be required to forfeit not less than \$20 nor more than \$40 for a first

