



2007 ASSEMBLY BILL 214

March 27, 2007 - Introduced by Representatives STASKUNAS, SHERIDAN, COLON, VAN AKKEREN, HAHN, TRAVIS, CULLEN, VOS, JESKEWITZ, ALBERS, GUNDERSON, A. WILLIAMS, TOWNSEND, BERCEAU, SINICKI and NYGREN, cosponsored by Senators HARSDDORF, CARPENTER, LEHMAN, DARLING and OLSEN. Referred to Committee on Transportation.

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

Analysis by the Legislative Reference Bureau

Current law prohibits inattentive driving, which means that a driver of a motor vehicle may not be so engaged or occupied as to interfere with the safe driving of the vehicle. Any person convicted of inattentive driving may be required to forfeit not less than \$20 nor more than \$400.

This bill prohibits a person driving under an instruction permit or a probationary license from driving a motor vehicle while using a cellular telephone (cellular phone) or while using any other wireless telecommunications device that is not installed in the vehicle (wireless device), except to report an emergency. (A probationary license is, with certain exceptions, issued to all applicants for an original driver's license and remains in effect for two years from the date of the licensee's next birthday.) The prohibition applies to cellular phones regardless of whether the cellular phone is hand-held, installed in the vehicle, or otherwise situated, but applies to other wireless devices only if they are hand-held or otherwise not installed in the vehicle. The prohibition applies regardless of whether use of the cellular phone or interferes with operation of the vehicle. Persons who violate this prohibition 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 one year.

