



2009 ASSEMBLY BILL 610

December 8, 2009 - Introduced by Representative ZEPNICK, cosponsored by Senators CARPENTER and TAYLOR. Referred to Committee on Transportation.

1 **AN ACT to amend** 346.95 (1); and **to create** 346.94 (21) of the statutes; **relating**
2 **to:** driving a motor vehicle while using a cellular telephone and providing a
3 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.

Under this bill, a person may not drive a motor vehicle, other than an authorized emergency vehicle, on any highway while using a hand-held cellular telephone, except to report an emergency. This prohibition applies regardless of whether use of the cellular telephone interferes with operation of the vehicle, but does not apply to hands-free cellular telephones. A person who violates 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.

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

4 **SECTION 1.** 346.94 (21) of the statutes is created to read:

