

## 2001 ASSEMBLY BILL 202

March 15, 2001 – Introduced by Representatives STASKUNAS, GARD, WALKER, CARPENTER, AINSWORTH, LADWIG, J. LEHMAN, SYKORA, PLOUFF, ALBERS, COLON and BOYLE, cosponsored by Senators BAUMGART, BURKE, DARLING and ROSENZWEIG. Referred to Committee on Highway Safety.

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

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### ***Analysis by the Legislative Reference Bureau***

Current law prohibits inattentive driving. The driver of a motor vehicle may not be 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 a person from operating a motor vehicle while using a cellular or other mobile telephone, except to report an emergency regardless of whether use of the telephone interferes with operation of the vehicle. However, this prohibition applies only to persons driving under an instruction permit or a probationary license. 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. 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 2nd or subsequent offense within one year.

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***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:

