

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0023/P1dn
EVM:bjk:rs

September 23, 2008

ATTN: Nathan Williams

Please review the attached draft carefully to ensure that it is consistent with your intent. I am providing a list of potential issues that may require additional clarification or change depending upon your intent in requesting this draft.

1. I have applied the current penalty for generic inattentive driving to the new prohibitions. Please let me know if you desire a different penalty.
2. I have not provided any exceptions for emergency situations or for operators of emergency vehicles in this draft. Please let me know if you would like any such exceptions added.
3. Your instructions specifically referred to cell phones. I have, therefore, prepared this draft using the term cellular telephone. If you would like this draft to have a broader reach please let me know. For example, 2007 SB 442 proposed prohibiting the use of cellular telephones and other wireless telecommunications devices while operating a school bus. "Wireless telecommunications device" was defined to include two-way radios, CB radios, and, generally, other devices being used to transmit verbal communications.
4. The definition I used in the prohibition of text messaging while driving was taken from 2007 SB 355. Please review the definition to ensure that it meets with your intent.
5. Due to current statutory cross-references in s. 346.02 (10) and (11), the provisions of this draft would apply to snowmobiles and ATVs being operated on roadways. Please let me know if you do not intend for these vehicles to be covered by the draft.

Please let me know if you would like any changes made to the attached draft or if you have any questions.

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