



2013 SENATE BILL 479

January 9, 2014 – Introduced by Senators PETROWSKI, CARPENTER, LASSA, LEHMAN and OLSEN, cosponsored by Representatives SPIROS, BIES, BALLWEG, BERCEAU, KLEEFISCH, KULP, OHNSTAD, PETRYK and WRIGHT. Referred to Committee on Transportation, Public Safety, and Veterans and Military Affairs.

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.

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

