

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBa0566/P1dn  
EVM:jld&ae

June 4, 2015

ATTN: Sen. Jerry Petrowski

Please review the attached amendment carefully to ensure that it is consistent with your intent. The following are several issues you may wish to consider in your review of this amendment.

1. Please note the definition of “drive” in s. 346.89 (4) (b) 1. b. This definition includes the text from s. 343.305 (1) (b) and the additional language from 49 CFR 392.82. I removed the cross-reference to s. 343.305 (1) (b) because I wanted to avoid affecting how s. 343.305 is interpreted regarding temporary stops. Please let me know if you have any questions.
2. Does s. 349.89 (4) (b) 2. c. require reference to the driver being unrestrained by a properly adjusted safety belt? See 49 CFR 390.5 (definition of “use a hand-held mobile telephone” item 3.).

Please let me know if you would like any changes made to the attached amendment or if you have any questions. If the attached amendment meets with your approval, let me know and I will convert it to an introducible “/1” amendment.

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