

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

HOUSE BILL 1042

4  
5 By: Representative Creekmore  
6 By: Senator Hendren

## For An Act To Be Entitled

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10 AN ACT TO AMEND ARKANSAS CODE TITLE 6, CHAPTER  
11 19, SUBCHAPTER 1 TO ADD A SECTION TO PROHIBIT A  
12 PERSON FROM USING A CELLULAR TELEPHONE WHILE  
13 OPERATING A SCHOOL BUS; AND FOR OTHER PURPOSES.

## Subtitle

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16 TO PROHIBIT A PERSON FROM USING A CELL  
17 TELEPHONE WHILE OPERATING A SCHOOL BUS.

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. Arkansas Code Title 6, Chapter 19, Subchapter 1 is amended  
23 to add an additional section to read as follows:

24 6-19-120. Operation of a school bus while using a cellular telephone.

25 (a) As used in this section:

26 (1) "Cellular telephone" means a wireless two-way communication  
27 device that requires the operator to dial numbers manually;

28 (A) That includes radio-telephone communications used in  
29 cellular telephone service, personal communication service, or the functional  
30 equivalent of a radio-telephone communications line used in cellular  
31 telephone service or a personal communication service; and

32 (B) Does not include a citizens band radio or a citizens  
33 band radio hybrid; and

34 (2) "School bus" means a motor vehicle operated for the  
35 transportation of children to and from school.

36 (b) Except as provided in this section, a person shall not operate a

1 school bus while using a cellular telephone.

2 (c) This section does not apply to the use of a cellular telephone:

3 (1) For the purpose of communicating with any of the following  
4 regarding an emergency situation:

5 (A) An emergency system response operator or 911 public  
6 safety communications dispatcher;

7 (B) A hospital or emergency room;

8 (C) A physician's office or health clinic;

9 (D) An ambulance or fire department rescue service;

10 (E) A fire department, fire protection district, or  
11 volunteer fire department; or

12 (F) A police department;

13 (2) To call for assistance if there is a mechanical breakdown or  
14 other mechanical problem impairing the operation of the bus; or

15 (3) When the school bus is parked.

16 (d) A person who violates this section is guilty of an unclassified  
17 misdemeanor and may be fined not less than one hundred dollars (\$100) nor  
18 more than two hundred fifty dollars (\$250).

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