

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 1493

4
5 By: Representative Penix
6 By: Senator Whitaker

For An Act To Be Entitled

7
8
9
10 AN ACT TO MAKE IT UNLAWFUL TO OPERATE A MOTOR
11 VEHICLE WHILE USING A CELLULAR TELEPHONE, TO LIST
12 CERTAIN EXCEPTIONS, AND TO PROVIDE A PENALTY; AND
13 FOR OTHER PURPOSES.

Subtitle

14
15
16 TO MAKE IT UNLAWFUL TO OPERATE A MOTOR
17 VEHICLE WHILE USING A CELLULAR TELEPHONE
18 AND LIST CERTAIN EXCEPTIONS AND PROVIDE
19 A PENALTY.

20
21
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

23
24 SECTION 1. Arkansas Code Title 27, Chapter 51, Subchapter 14 is amended
25 to add an additional section to read as follows:

26 27-51-1408. Operation of a motor vehicle while using cellular
27 telephone prohibited.

28 (a) It is unlawful for any person to operate any motor vehicle while
29 using a cellular telephone in the motor vehicle except if the cellular
30 telephone is equipped for hands-free operation and the driver has at least
31 one (1) hand free for use on the vehicle's steering mechanism.

32 (b) This section does not apply to a driver using the cellular
33 telephone:

34 (1) While the motor vehicle is parked;

35 (2) To contact law enforcement officials, public safety,
36 emergency medical, fire emergency personnel, or a 911 public safety



02122003EAN1409.ONE060

1 communications center to report an emergency situation; or

2 (3) In the course of performing the driver's official duties as
3 a certified law enforcement officer, fire fighter, ambulance driver, or an
4 emergency medical technician.

5 (c) A person who violates this section is guilty of a violation and
6 shall be:

7 (1) Issued a citation for the first offense as a warning, no
8 penalty shall be imposed, and no court appearance shall be required unless
9 the person wishes to contest the offense; and

10 (2) Fined an amount not to exceed fifty dollars (\$50.00) for any
11 second or subsequent offense.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36