

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
4

As Engrossed: S2/13/03

A Bill

Act 219 of 2003
HOUSE BILL 1042

5 By: Representative Creekmore
6 By: Senator Hendren
7

For An Act To Be Entitled

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.
14

Subtitle

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 every motor vehicle owned by a public
35 school district or operated under contract for a public school district, and
36 used for the transportation of children to or from school or school-sponsored

1 activities.

2 (b) Except as provided in this section, a person shall not operate a
3 school bus while using a cellular telephone.

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

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

7 (A) An emergency system response operator or 911 public
8 safety communications dispatcher;

9 (B) A hospital or emergency room;

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

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

12 (E) A fire department, fire protection district, or
13 volunteer fire department; or

14 (F) A police department;

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

17 (3) When the school bus is parked.

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

21
22 /s/ Creekmore

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25 APPROVED: 02/26/2003