

ARKANSAS SENATE
87th General Assembly - Regular Session, 2009
Amendment Form

Subtitle of Senate Bill No. 31

"TO REQUIRE A DRIVER OF A MOTOR VEHICLE TO USE A HANDS-FREE CELLULAR
TELEPHONE DEVICE WHILE DRIVING ON A PUBLIC HIGHWAY."

Amendment No. 1 to Senate Bill No. 31.

Amend Senate Bill No. 31 as originally introduced:

Add the following Senator as a cosponsor of the bill:

Senator Faris

AND

Page 1, line 10, delete "CELLULAR" and substitute "WIRELESS"

AND

Page 1, line 12, delete "CELLULAR" and substitute "WIRELESS"

AND

Delete the subtitle in its entirety and substitute:

"TO REQUIRE A DRIVER OF A MOTOR VEHICLE
TO USE A HANDS-FREE WIRELESS TELEPHONE
DEVICE WHILE DRIVING ON A PUBLIC
HIGHWAY."

AND

Page 1, line 27, delete "cellular" and substitute "wireless"

AND

Page 1, delete line 29 and substitute:

"(a)(1) As used in this section, "hands-free mode" means the use of a wireless telephone that allows a user to engage in conversation or communication without the use of either hand by means of:



(A) An internal feature or function; or

(B) An attachment or additional device.

(2) Hands-free mode may be a permanent or temporary part of the wireless telephone or other wireless communication device.

(3) Hands-free mode may require the use of either hand to activate, deactivate, or initiate a function of the wireless telephone.

(b) Except as provided in subsection (c) of this section, it is"

AND

Page 1, line 30, delete "cellular" and substitute "wireless"

AND

Page 1, delete line 32 and substitute:

"(c) A person shall use a wireless telephone device while operating a"

AND

Page 2, delete lines 1 through 4 and substitute:

"wireless telephone with hands-free mode; and

(B) Is using the wireless telephone in hands-free mode;"

AND

Page 2, line 15, delete "parked" and substitute "stopped"

AND

Page 2, delete line 16 and substitute:

"(d) A person who violates subsection (b) of this section shall be"

AND

Page 2, delete line 25 and substitute:

"(e) A violation of subsection (b) of this section shall be a secondary"

AND

Page 2, line 28, delete "(e)" and substitute "(f)"

AND

Page 3, line 2, delete "(f)" and substitute "(g)"

AND

Page 3, line 4, delete "(g)" and substitute "(h)"

AND

Page 3, delete line 8 and substitute:

"subdivision (d)(2) of this section.

(i) This section supersedes and preempts all county or municipal ordinances regarding the use of a handheld wireless telephone by an operator of a motor vehicle.

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Hendren
JSE/JSE - 01-28-2009 12:39
JSE074

Secretary