

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 87th General Assembly  
3 Regular Session, 2009  
4

As Engrossed: H1/23/09

# A Bill

HOUSE BILL 1013

5 By: Representatives Kidd, Blount, Carroll, Cook, Everett, J. Rogers, L. Smith, Stewart  
6 By: Senators Laverty, D. Wyatt  
7  
8

## For An Act To Be Entitled

10 AN ACT TO IMPROVE THE SAFETY OF ROADS FOR ALL  
11 DRIVERS AND PASSENGERS BY PROHIBITING DRIVERS OF  
12 MOTOR VEHICLES FROM USING HANDHELD *WIRELESS*  
13 *TELEPHONES TO ENGAGE IN TEXT MESSAGING*; AND FOR  
14 OTHER PURPOSES.

### Subtitle

15 *PAUL'S LAW: TO PROHIBIT DRIVERS OF MOTOR*  
16 *VEHICLES FROM USING HANDHELD WIRELESS*  
17 *TELEPHONES.*  
18  
19

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

22 SECTION 1. Arkansas Code Title 27, Chapter 51 is amended to add an  
23 additional subchapter to read as follows:

24 27-51-1501. Title.

25 This subchapter is known and may be cited as "Paul's Law: To Prohibit  
26 Drivers of Motor Vehicles from Using Handheld Wireless Telephones to Engage  
27 in Text Messaging.

28  
29 27-51-1502. Purpose.

30 The purpose of this subchapter is to:

31 (1) Improve the safety of the roads for all drivers and  
32 passengers by prohibiting drivers of motor vehicles from *engaging in text*  
33 *messaging*;

34 (2) Prevent accidents caused by the *distractive practice of text*  
35 *messaging while operating a motor vehicle*;

36 (3) Preserve human life and maintain the safety of the citizens



1 of the State of Arkansas and visitors to our state by taking steps to reduce  
2 motor vehicle accidents, injuries, and deaths;

3 (4) Reduce health care costs, health insurance rates, and  
4 automobile insurance rates by attempting to reduce the number of motor  
5 vehicle accidents that cause injury, death, and property damage; and

6 (5) Reduce the amount of time that law enforcement and the court  
7 system work on accidents and offenses arising out of motor vehicle accidents  
8 caused by drivers who are distracted by sending or reading text messages.

9  
10 27-51-1503. Definitions.

11 As used in this subchapter:

12 (1)(A) "Handheld wireless telephone" means a wireless  
13 interactive communication device with which a user can engage in a text-based  
14 communication using at least one hand or by reading a text-based  
15 communication.

16 (B) "Handheld wireless telephone" does not include:

17 (i) A hands-free wireless telephone or device;

18 (ii) Citizens band radio; or

19 (iii) Citizens band radio hybrid; and

20 (2)(A) "Hands-free wireless telephone or device" means a  
21 wireless telephone or other wireless communication device that allows a user  
22 to engage in text-based communication without the use of either hand either  
23 with:

24 (i) An internal feature or function; or

25 (ii) An attachment or additional device.

26 (B) A hands-free wireless telephone or device may be a  
27 permanent or temporary part of the wireless telephone or other wireless  
28 communication device.

29 (C) A hands-free wireless telephone or device may require  
30 the use of either hand to activate, deactivate, or initiate a function of the  
31 wireless telephone or other communication device;

32 (3) "Wireless interactive communication" means typing, text  
33 messaging, emailing, or accessing information on the Internet with a handheld  
34 wireless telephone.

35  
36 27-51-1504. Handheld wireless telephone use when driving.

