

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

# A Bill

HOUSE BILL 1013

4  
5 By: Representative Kidd  
6  
7

## For An Act To Be Entitled

8  
9 AN ACT TO IMPROVE THE SAFETY OF ROADS FOR ALL  
10 DRIVERS AND PASSENGERS BY PROHIBITING DRIVERS OF  
11 MOTOR VEHICLES FROM USING HANDHELD CELLULAR  
12 TELEPHONES; AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 PAUL'S LAW: TO PROHIBIT DRIVERS OF MOTOR  
16 VEHICLES FROM USING HANDHELD CELLULAR  
17 TELEPHONES.  
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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 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 Cellular Telephones".  
27

28 27-51-1502. Purpose.

29 The purpose of this subchapter is to:

30 (1) Improve the safety of the roads for all drivers and  
31 passengers by prohibiting drivers of motor vehicles from using handheld  
32 cellular telephones or from text messaging;

33 (2) Prevent future accidents caused by the use of handheld  
34 cellular telephones or text messaging while operating a motor vehicle;

35 (3) Preserve human life and maintain the safety of the citizens  
36 of the State of Arkansas and visitors to our state by reducing motor vehicle



1 accidents, injuries, and deaths;

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

5 (5) Reduce the amount of time that law enforcement and the court  
6 system work on accidents and offenses arising out of motor vehicle accidents  
7 caused by drivers who use handheld cellular telephones or who text message.

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9 27-51-1503. Definitions.

10 As used in this subchapter:

11 (1)(A) "Handheld cellular telephone" means a wireless  
12 interactive communication device that requires the operator to dial numbers  
13 or perform other functions with his or her fingers or hands in order to  
14 communicate with another person.

15 (B) "Handheld cellular telephone" does not include:

16 (i) A hands-free cellular telephone or other  
17 communication device that uses voice-recognition software and voice-  
18 recognition commands;

19 (ii) Citizens band radio; or

20 (iii) Citizens band radio hybrid; and

21 (2) "Wireless interactive communication" means talking, typing,  
22 text messaging, emailing, or accessing information on the Internet with a  
23 handheld cellular telephone.

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25 27-51-1504. Handheld cellular telephone use when driving.

26 (a) Except as otherwise provided in this section, the driver of a  
27 motor vehicle shall not use a handheld cellular telephone for wireless  
28 interactive communication.

29 (b) A driver of a motor vehicle may use a handheld cellular telephone  
30 for wireless interactive communication in emergencies.

31 (c) A person performing his or her official duties as a certified law  
32 enforcement officer, firefighter, ambulance driver, or emergency medical  
33 technician is exempt from the requirements of this section.

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35 27-51-1505. Penalties.

36 A person who pleads guilty or nolo contendere to, or has been found

1 guilty of, violating this section commits a violation.

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3 SECTION 2. This act applies to all violations committed on and after  
4 October 1, 2009.

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