

EHB 2957

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THE STATE SENATE
Wednesday, March 17, 2010

ENGROSSED

House Bill No. 2957

ENGROSSED HOUSE BILL NO. 2957 - By: Wright (Harold), Tibbs, Nelson, Sherrer and Shumate of the House and Schulz of the Senate.

An Act relating to motor vehicles; prohibiting public transit drivers from using certain devices while operating motor vehicles; prescribing penalties; providing definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-901c of Title 47, unless there is created a duplication in numbering, reads as follows:

A. It shall be unlawful for a public transit driver to operate a motor vehicle on any street or highway within this state while using a cellular telephone or electronic communication device to write, send, or read a text-based communication while the motor vehicle is in motion.

B. Any person who violates the provisions of subsection A of this section shall, upon conviction, be guilty of a misdemeanor punishable by a fine of Five Hundred Dollars (\$500.00).

C. As used in this section:

1 1. "Cellular telephone" means an analog or digital wireless
2 telephone authorized by the Federal Communications Commission to
3 operate in the frequency bandwidth reserved for cellular telephones;

4 2. "Electronic communication device" means an electronic device
5 that permits the user to manually transmit a communication of
6 written text by means other than through an oral transfer or wire
7 communication. This term does not include a voice-activated global
8 positioning or navigation system that is affixed to a motor vehicle;
9 and

10 3. "Public transit driver" means:

11 a. any operator of a public transit vehicle owned and
12 operated by the State of Oklahoma, any public trust
13 authority, county, municipality, town or city within
14 this state,

15 b. any operator of a school bus or multi-passenger motor
16 vehicle owned and approved to operate by the State
17 Department of Education or any school district within
18 this state, or

19 c. any operator, conductor or driver of a locomotive
20 engine, railway car or train of cars.

21 SECTION 2. This act shall become effective November 1, 2010.

22 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY & HOMELAND SECURITY,
23 dated 3-16-10 - DO PASS.