

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1908

By: Sykes

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6 AS INTRODUCED

7 An Act relating to motor vehicles; amending Section
8 3, Chapter 108, O.S.L. 2003 (47 O.S. Supp. 2009,
9 Section 11-901b), which relates to full attention to
10 driving; defining terms; prohibiting distracted
11 driving; establishing penalties; prohibiting certain
12 routine stops; and providing an effective date.

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

14 SECTION 1. AMENDATORY Section 3, Chapter 108, O.S.L.
15 2003 (47 O.S. Supp. 2009, Section 11-901b), is amended to read as
16 follows:

17 Section 11-901b. ~~The operator of every vehicle, while driving,~~
18 ~~shall devote their full time and attention to such driving.~~

19 ~~No law enforcement officer shall issue a citation under this~~
20 ~~section unless the operator of the vehicle is involved in an~~
21 ~~accident~~

22 A. For the purpose of this section:

23 1. "Distracted driving" means inattentive driving of any
24 vehicle being operated in violation of any provisions of this title,
or any other law regulating the operation of a vehicle, that is

1 caused by reading, writing, performing personal grooming,
2 interacting with pets or unsecured cargo, using a personal
3 communication device, or engaging in any other activity which causes
4 distractions;

5 2. "Personal communication device" means a cellular, analog,
6 wireless, mobile or digital telephone capable of sending or
7 receiving telephone calls or text messages without an access line
8 for service; and

9 3. "Use" of a wireless telephone or personal communication
10 device shall include, but not be limited to, talking or listening to
11 another person on the telephone, text messaging, or sending an
12 electronic message via the wireless telephone or electronic
13 communication device.

14 B. Distracted driving shall be unlawful. A person found guilty
15 of distracted driving shall be subject to the fine and penalty set
16 forth in subsection C of this section.

17 C. The penalty for violating this section shall be a fine of
18 One Hundred Dollars (\$100.00) and court costs, not to exceed Thirty-
19 five Dollars (\$35.00).

20 D. No law enforcement officer shall make routine stops of
21 motorists for the purpose of enforcing this act.

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

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