

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1633

By: Brown

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; prohibiting use of
8 certain devices in school zones; providing penalty;
9 providing exceptions; defining terms; providing for
10 codification; and providing an effective date.

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

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

15 A. An operator of a motor vehicle shall not use an electronic
16 communication device while operating a motor vehicle within a school
17 zone, unless:

- 18 1. The vehicle is stopped; or
19 2. The electronic communication device is used with a hands-
20 free device.

21 B. Any person who violates the provisions of this section
22 shall, upon conviction, be guilty of a misdemeanor punishable by a
23 fine of Five Hundred Dollars (\$500.00), or by imprisonment in the
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1 county jail for a term not to exceed thirty (30) days, or by both
2 such fine and imprisonment.

3 C. The provisions of the section shall not apply to:

4 1. An operator of an authorized emergency vehicle using an
5 electronic communication device while acting in an official
6 capacity; or

7 2. An operator who is licensed by the Federal Communications
8 Commission while operating a radio frequency device other than an
9 electronic communication device.

10 D. As used in this section:

11 1. "Electronic communication device" means an electronic device
12 including, but not limited to, a wireless cellular telephone,
13 personal digital assistant, or a portable or mobile computer while
14 being used for the purpose of making or receiving telephone calls,
15 composing, reading, or sending an electronic message, but does not
16 include a global positioning system or navigation system or a device
17 that is physically or electronically integrated into the motor
18 vehicle;

19 2. "Electronic message" means a self-contained piece of digital
20 communication that is designed or intended to be transmitted between
21 physical devices and includes, but is not limited to, electronic
22 mail, a text message, an instant message, or a command or request to
23 access an Internet site;

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1 3. "Hands-free device" means speakerphone capability or a
2 telephone attachment or other piece of equipment, regardless of
3 whether permanently installed in the motor vehicle, that allows use
4 of the electronic communication device without use of either of the
5 hands of the operator; and

6 4. "School zone" means any portion of a road, street, or
7 highway that is a properly marked school zone, as indicated with
8 appropriate warning signs placed in accordance with the latest
9 edition of the Manual on Uniform Traffic Control Devices, and
10 properly posted signage that provides for a reduced speed limit.

11 SECTION 2. This act shall become effective November 1, 2011.

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13 53-1-6132 GRS 01/12/11
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