

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

6 C. The provisions of this section shall not apply to:

7 1. An operator of an authorized emergency vehicle using an
8 electronic communication device while acting in an official
9 capacity; or

10 2. An operator who is licensed by the Federal Communications
11 Commission while operating a radio frequency device other than an
12 electronic communication device.

13 D. As used in this section:

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

22 2. "Electronic message" means a self-contained piece of digital
23 communication that is designed or intended to be transmitted between
24 physical devices and includes, but is not limited to, electronic

1 mail, a text message, an instant message or a command or request to
2 access an Internet site;

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

8 4. "Intersection" shall have the same meaning as such term is
9 defined in Section 1-126 of Title 47 of the Oklahoma Statutes;

10 5. "Repair", "maintenance" or "construction zone" means any
11 location where repair, maintenance or construction work is actually
12 in progress and workers are present; and

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

18 SECTION 2. This act shall become effective November 1, 2013.

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20 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02/25/2013 -
21 DO PASS, As Coauthored.

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