

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 SENATE BILL 2085

By: Burrage

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6 AS INTRODUCED

7 An Act relating to operating a phone while driving;
8 making certain act unlawful; providing penalty;
9 providing exceptions; authorizing municipalities to
enact certain ordinances; defining terms; providing
for codification; and providing an effective date.

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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 11-901d of Title 47, unless
14 there is created a duplication in numbering, reads as follows:

15 A. It shall be unlawful for the operator of a motor vehicle to
16 use a cellular telephone or electronic communication device while
17 operating a motor vehicle within an active school zone.

18 B. Any person who violates the provisions of subsection A of
19 this section shall, upon conviction, be punished by a fine of not
20 less than One Hundred Dollars (\$100.00).

21 C. The provisions of subsection A of this section shall not
22 apply if the person is using the cellular telephone or electronic
23 communication device for the sole purpose of communicating with any
24 of the following regarding an emergency situation:

- 1 1. An emergency response operator;
- 2 2. A hospital, physician's office or health clinic;
- 3 3. A provider of ambulance services;
- 4 4. A provider of firefighting services; or
- 5 5. A law enforcement agency.

6 D. Municipalities may enact and municipal police officers may
7 enforce ordinances prohibiting and penalizing conduct under the
8 provisions of this section. The provisions of those ordinances shall
9 be the same as provided for in subsection A of this section;
10 provided however, the enforcement provisions of those ordinances
11 shall not be more stringent than those provided for in subsection B
12 of this section, and the fine and court costs for municipal
13 ordinance violations shall be the same or a lesser amount as
14 provided for in subsection B of this section.

15 SECTION 2. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 11-901e of Title 47, unless
17 there is created a duplication in numbering, reads as follows:

18 As used in Section 1 of this act:

- 19 1. "Cellular telephone" means an analog or digital wireless
20 telephone authorized by the Federal Communications Commission to
21 operate in the frequency bandwidth reserved for cellular telephones;
- 22 2. "Electronic communication device" means an electronic device
23 that permits the user to manually transmit a communication of
24 written text by means other than through an oral transfer or wire

1 communication. This term does not include a voice-activated global
2 positioning or navigation system that is affixed to a motor vehicle
3 or an ignition interlock device that has been installed on a motor
4 vehicle;

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

10 SECTION 3. This act shall become effective November 1, 2014.

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