

HOUSE BILL NO. 436

INTRODUCED BY D. GALLIK

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A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE USE OF A HAND-HELD ELECTRONIC COMMUNICATION DEVICE WHILE OPERATING A VEHICLE ON A PUBLIC HIGHWAY."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Use of hand-held electronic communication device prohibited -- exception.** (1) Except as provided in subsection (2), a person may not use or hold ready for use a hand-held electronic communication device while operating a vehicle on a public highway.

(2) The prohibition in subsection (1) does not apply to a hand-held electronic communication device that has a speaker attached to the device, to the vehicle, or to the operator and that does not require the use of two hands to operate.

(3) A person who violates the provisions of this section is subject to the penalties provided in 61-8-711.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 61, chapter 8, part 3, and the provisions of Title 61, chapter 8, part 3, apply to [section 1].

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