

Amendments to House Bill No. 49
1st Reading Copy

Requested by Representative Bob Lake

For the House Transportation Committee

Prepared by Rachel Weiss
January 26, 2009 (12:28pm)

1. Title, page 1, line 4.
Following: "OF"
Strike: "ELECTRONIC COMMUNICATION"
Insert: "HAND-HELD, MANUALLY OPERATED CELLULAR PHONES OR TEXTING"
2. Title, page 1, line 5.
Following: "AREAS"
Insert: "; AND PROVIDING FOR CERTAIN EXCEPTIONS"
3. Page 1, line 9.
Following: "of"
Strike: "electronic communication device"
Insert: "hand-held, manually operated cellular phones or texting devices"
Following: "--"
Strike: "exception"
Insert: "exceptions"
4. Page 1, line 10.
Following: "use"
Strike: "an" through "including"
Following: "a"
Insert: "hand-held, manually operated"
5. Page 1, line 11.
Following: "cellular phone or"
Strike: "a"
Insert: "texting"
Following: "device"
Strike: "used to" on line 11 through "other motorists" on line 12
6. Page 1, lines 15 and 16.
Following: "(2)"
Strike: "A person" on line 15 through "from the" on line 16
Insert: "The"
7. Page 1, line 16.
Following: "(1)"
Insert: "do not apply to:"

(a) a person who is driving on a public highway that is part of the federal-aid interstate system;

(b) a person using a cellular phone for emergency purposes, including but not limited to calling a law enforcement agency, an emergency medical or fire and rescue agency, or a health care provider;

(c) law enforcement and emergency services personnel, including department of corrections personnel and contractors, while operating a vehicle for official purposes;

(d) a person operating a publicly owned vehicle used for road maintenance"

- END -

If HB 49 passes from this committee to the House floor with amendment HB004901.arw, when you consider it again on the House floor, the new section of HB49 will look similar to the text below:

Title:

"AN ACT RESTRICTING USE OF ~~ELECTRONIC COMMUNICATION~~ HAND-HELD, MANUALLY OPERATED CELLULAR PHONES AND TEXTING DEVICES IN DEFINED AREAS; AND PROVIDING FOR CERTAIN EXCEPTIONS."

Body of the new section:

Section 1. Restricted use of ~~electronic communication device~~ HAND-HELD, MANUALLY OPERATED CELLULAR PHONES OR TEXTING DEVICES -- ~~exception~~

EXCEPTIONS. (1) Except as provided in subsection (2), a person may not use ~~an electronic communication device, including a~~ HAND-HELD, MANUALLY OPERATED cellular phone or a TEXTING device ~~used to sent text messages, or perform any other activity that causes the driver to become inattentive to the immediate roadway or to pedestrians or other motorists while driving:~~

- (a) on a public highway within a first- or second-class city, as defined in 7-1-4111;
- (b) in an area near a school pursuant to 61-8-310(1)(d) regardless of the city population classification.

(2) ~~A person who is driving on a public highway that is part of the federal-aid interstate system is exempt from the~~ THE provisions in subsection (1) DO NOT APPLY TO:

(a) A PERSON WHO IS DRIVING ON A PUBLIC HIGHWAY THAT IS PART OF THE FEDERAL-AID INTERSTATE SYSTEM;

(b) A PERSON USING A CELLULAR PHONE FOR EMERGENCY PURPOSES, INCLUDING BUT NOT LIMITED TO CALLING A LAW ENFORCEMENT AGENCY, AN EMERGENCY MEDICAL OR FIRE AND RESCUE AGENCY, OR A HEALTH CARE

PROVIDER:

(c) LAW ENFORCEMENT AND EMERGENCY SERVICES PERSONNEL,
INCLUDING DEPARTMENT OF CORRECTIONS PERSONNEL AND CONTRACTORS,
WHILE OPERATING A VEHICLE FOR OFFICIAL PURPOSES; OR

(d) A PERSON OPERATING A PUBLICLY OWNED VEHICLE USED FOR ROAD
MAINTENANCE.

(3) A person who violates the provisions of this section is subject to the penalties provided in 61-8-711. A person who violates the provisions of this section within a special speed zone near a school shall be fined double the amount of fines provided in 61-8-711.