

April 4, 2005

H 1104. BAN CELL PHONE USE WHILE DRIVING. TO MAKE USING A MOBILE PHONE UNLAWFUL WHILE DRIVING A MOTOR VEHICLE ON A PUBLIC STREET OR HIGHWAY.

Enacts new GS 20-140.6 as title indicates. Creates a rebuttable presumption that driver who holds a mobile telephone in the immediate proximity of his or her ear is engaging in a call, and makes violation of section an infraction punishable by a fine of \$100 and court costs, but no assessment of points. Creates exceptions for the use of a mobile telephone in emergency situations or by law enforcement, fire dep't, or ambulance personnel, and for the use of a hands-free mobile telephone (except that persons under 18 years old may not operate a hands-free mobile telephone while operating a motor vehicle). Prohibits the passage of local ordinances regulating mobile telephone use. Applies to offenses committed on or after December 1, 2005.

Intro. by McAllister.

Ref. to Public Utilities

GS 20