

February 14, 2007

H 183. BAN CELL PHONE USE BY SCHOOL BUS DRIVERS. Filed 2/14/07. *TO MAKE USING A MOBILE PHONE UNLAWFUL WHILE OPERATING A PUBLIC OR PRIVATE SCHOOL BUS OR A PUBLIC ACTIVITY BUS ON A PUBLIC STREET OR HIGHWAY.* Enacts new GS 20-140.6 making it a Class 1 misdemeanor punishable by a fine of not less than \$100 for an individual to engage in a call on a mobile phone while operating a public or private school bus that is in motion at the time of the call. Provides exceptions if the use of the mobile telephone is solely for the purpose of communicating with emergency, medical, fire, or law enforcement personnel regarding an emergency situation. The statute does not authorize seizure or forfeiture of a mobile phone. Prohibits local governments from passing any ordinance regulating mobile phone use. Provides definitions section to clarify meaning of terms used in the statute. Effective for offenses committed on or after December 1, 2007.

Intro. by Rapp.

GS 20

April 30, 2007

H 183. BAN CELL PHONE USE BY SCHOOL BUS DRIVERS. Filed 2/14/07. House committee substitute makes the following changes to 1st edition. Modifies proposed GS 20-140.6 to include school activity bus operators (was, public activity bus operators) and individuals providing contracted transportation services for public or private schools in any vehicle, in those who are banned from using cell phones while operating the vehicle. Makes an exception for using a cell phone in an emergency situation (previous language made an exception for calls made to listed agencies, services, and offices regarding an emergency situation). Adds a definition of *emergency situation* and modifies the definition of *use* to include using a hands-free mobile telephone device to engage in a call. Clarifies that local governments may not pass ordinances regulating the use of cell phones by operators of public or private school buses, activity buses, or those providing contracted school transportation services (was, may not pass a local ordinance regulating the use of cell phones). Makes technical corrections, including reorganizing the definition section.

May 15, 2007

H 183. BAN CELL PHONE USE BY SCHOOL BUS DRIVERS. Filed 2/14/07. House committee substitute makes the following changes to 2nd edition. Modifies GS 20-140.6 to add a definition for *additional technology* that includes any technology providing access to digital media such as a handheld camera, electronic mail, music, the Internet, or games. Identifies use of additional technology as another prohibited activity by school bus drivers and makes it an offense to engage in use of additional technology while operating a public or private school bus, or an activity bus, or while providing contracted services for a public or private school in any vehicle. Makes it a Class 2 misdemeanor to violate proposed GS 20-140.6 (was, Class 1). Amends the title to accurately reflect the bill.

July 3, 2007

H 183. BAN CELL PHONE USE BY SCHOOL BUS DRIVERS. Filed 2/14/07. Senate committee substitute makes the following changes to 3rd edition. Renumbers proposed new GS 20-140.6 as GS 20-137.4 and makes the following changes. Amends the definition of *emergency situation* and adds a definition of *school bus*, which also includes activity buses and vehicles transporting public, private, or parochial school students for compensation. Makes technical changes and removes definitions of *wireless telephone service*, *use*, *engage in a call*, and *immediate proximity*. Clarifies that a bus driver is prohibited from using a cell phone or additional technology while the bus is in motion and provides that the prohibition does not apply in a school bus that is stationary. Provides that drivers license points and insurance surcharges are not assessed for violations and that failure to comply does not constitute negligence per se or contributory negligence by the operator in any action arising out of the operation, ownership, or maintenance of a school bus. Makes technical changes and amends the title.

July 24, 2007

SL 2007-261 (H 183). BAN CELL PHONE USE BY SCHOOL BUS DRIVERS. AN ACT TO MAKE IT UNLAWFUL TO USE A MOBILE TELEPHONE OR ADDITIONAL TECHNOLOGY WHILE OPERATING A PUBLIC OR PRIVATE SCHOOL BUS, WHILE OPERATING A SCHOOL ACTIVITY BUS, OR WHILE TRANSPORTING STUDENTS FOR HIRE IN ANY VEHICLE.

Summarized in *Daily Bulletin* 2/14/07, 4/30/07, 5/15/07, and 7/3/07. Enacted July 23, 2007. Effective December 1, 2007.