

1 **USE OF MOBILE PHONES IN VEHICLES**

2 2001 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Kory M. Holdaway**

5 **This act modifies the Motor Vehicle Code to prohibit, with exceptions, the use of mobile**  
6 **phones and other devices while operating a motor vehicle. This act provides penalties.**

6a **h This act provides secondary enforcement of violations. h**

7 This act affects sections of Utah Code Annotated 1953 as follows:

8 ENACTS:

9 **41-6-154.25**, Utah Code Annotated 1953

10 *Be it enacted by the Legislature of the state of Utah:*

11 Section 1. Section **41-6-154.25** is enacted to read:

12 **41-6-154.25. Use of devices in vehicle prohibited -- Exceptions -- Penalties.**

13 (1) Except as provided under Section 41-6-154.20 or Subsection (2), a person may not  
14 operate a motor vehicle on a highway while the person is using a telephone, computer, or facsimile  
15 machine.

16 (2) Subsection (1) does not apply to a device used by:

17 (a) a mechanism that does not require holding the device or portion of the device during  
18 the use; h OR h

19 (b) emergency and law enforcement personnel acting in their official capacity, including  
20 a peace officer, firefighter, ambulance driver, and search and rescue personnel h ;

21 ~~(c) any person during a medical emergency; or~~

22 ~~(d) any person who is reporting a safety hazard of criminal activity or who is requesting~~  
23 ~~assistance related to a safety hazard or criminal activity] h .~~

24 (3) A person who violates this section is guilty of an infraction.

24a **h (4) ENFORCEMENT OF THIS SECTION BY STATE OR LOCAL LAW ENFORCEMENT**  
24b **OFFICERS SHALL BE ONLY AS A SECONDARY ACTION WHEN AN OPERATOR OF A MOTOR**  
24c **VEHICLE HAS BEEN DETAINED FOR A SUSPECTED VIOLATION OF TITLE 41, OTHER THAN THIS**  
24d **SECTION, OR FOR ANOTHER OFFENSE. h**



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**Legislative Review Note**  
**as of 1-22-01 2:40 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**