

1 **CELL PHONE RESTRICTION FOR TEEN**
2 **DRIVERS**

3 2007 GENERAL SESSION
4 STATE OF UTAH

5 **Chief Sponsor: Kory M. Holdaway**
6 Senate Sponsor: Michael G. Waddoups

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Motor Vehicles Code by amending provisions relating to driving
11 by minors.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ prohibits a person younger than 18 years of age from using a wireless telephone
- 15 while operating a motor vehicle;
- 16 ▶ provides exceptions to the wireless telephone prohibition;
- 17 ▶ provides that it is an infraction for violating the wireless telephone prohibition;

18 ~~It~~ → [~~provides that a violation is a reportable violation and requires the Driver License~~
19 ~~Division to assess points against a person's driving record for being convicted of~~
20 ~~violating the wireless telephone prohibition;~~] [and]

20a ▶ provides that enforcement for the wireless telephone prohibition shall be only as a
20b secondary action; and ← ~~It~~

- 21 ▶ makes technical changes.

22 **Monies Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 None

26 **Utah Code Sections Affected:**

27 ENACTS:



28 41-8-4, Utah Code Annotated 1953

29

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

31 Section 1. Section 41-8-4 is enacted to read:

32 **41-8-4. Operation of vehicle by person under 18 -- Use of wireless telephones**
33 **prohibited -- Exceptions -- Penalty.**

34 (1) (a) Except as provided in Subsection (2), a person younger than 18 years of age,
35 whether a resident or nonresident of this state, may not use a wireless telephone while
36 operating a motor vehicle upon a highway of this state.

37 (b) The use of a wireless telephone under this Subsection (1) includes the use of a
38 wireless telephone for text messaging communication.

39 (2) Subsection (1) does not prohibit a person younger than 18 years of age from using a
40 wireless telephone while operating a motor vehicle:

41 (a) during a medical emergency;

42 (b) when reporting a safety hazard or requesting assistance relating to a safety hazard;

43 ~~H~~→ [or] ←~~H~~

44 (c) when reporting a criminal activity or requesting assistance relating to a criminal
45 activity ~~H~~→ :

45a (d) in the course and scope of the person's employment if the person is using the wireless
45b telephone in the course and scope of the person's employment; or

45c (e) if the wireless telephone is designed and configured for hands-free talking and listening and
45d the hands-free talking and listening features are used while operating the motor vehicle ←~~H~~ .

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

47 ~~H~~→ [~~(4) (a) A violation of this section is a reportable violation as defined under Section~~
48 ~~53-3-102.~~

49 ~~(b) Upon receiving a record of conviction under this section, the Driver License~~
50 ~~Division shall assess points against the driving record of the person convicted in accordance~~
51 ~~with Section 53-3-221.]~~

51a [(5)] (4) Enforcement of this section by a state or local law enforcement officer
51b shall be
51c only as a secondary action when the vehicle has been detained for a suspected violation by
51d any person in the vehicle of Title 41, Motor Vehicles, other than this section, or for another
51e offense. ←~~H~~

12-27-06 11:17 AM

H.B. 217

Legislative Review Note
as of 12-21-06 2:46 PM

Office of Legislative Research and General Counsel

H.B. 217 - Cell Phone Restriction for Teen Drivers

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

1/9/2007, 9:36:20 AM, Lead Analyst: Ricks, G.

Office of the Legislative Fiscal Analyst