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**REGULATION OF CELL PHONE USE BY
MOTOR VEHICLE OPERATORS**

1998 GENERAL SESSION

STATE OF UTAH

Sponsor: Robert C. Steiner

AN ACT RELATING TO MOTOR VEHICLES; PROHIBITING USE OF CERTAIN DEVICES WHILE OPERATING A MOTOR VEHICLE; PROVIDING EXCEPTIONS; AND PROVIDING PENALTIES.

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

ENACTS:

41-6-154.25, Utah Code Annotated 1953

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

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

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

(1) Except as provided under Subsection (2), a person may not operate a motor vehicle on a highway while the person is using a telephone, computer, or facsimile machine.

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

(a) a voice activation mechanism that does not require holding the device or portion of the device during the use;

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

(c) any person during a medical emergency; or

(d) any person who is reporting criminal activity or who is requesting assistance related to a criminal activity.

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

Legislative Review Note
as of 1-26-98 10:38 AM

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

Office of Legislative Research and General Counsel