



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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February 6, 2009

Mr. President:

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 149**, PROHIBITION OF TEXT MESSAGING OR ELECTRONIC MAIL COMMUNICATION WHILE DRIVING, by Senator L. Hillyard, with the following amendments:

1. *Page 2, Lines 29 through 32:*

29 ▶ provides that a judge or justice may ~~{-recommend-}~~ order that a
person's driver license be
30 suspended for three months upon conviction of the prohibition on using a wireless
31 communication device for text messaging or electronic mail communication while
32 operating a motor vehicle;

2. *Page 3, Lines 81 through 83:*

81 (a) the person has also inflicted serious bodily injury upon another as a proximate
82 result of using a wireless communication device for text messaging or electronic mail
83 communication while operating a motor vehicle on a highway in this state; ~~{-and-}~~

3. *Page 5, Lines 129 through 132:*

129 (5) Upon a conviction of the prohibition on using a wireless communication device
for
130 text messaging or electronic mail communication while operating a motor vehicle under
131 Section 41-6a-1716, a judge or justice may ~~{-recommend-}~~ order a suspension of

Bill Number



SB0149

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132 the convicted person's
license for a period of three months.

4. *Page 9, Lines 248 through 251:*

248 (b) Criminal homicide is automobile homicide, a third degree felony, if the person
249 operates a motor vehicle in a negligent manner {causing the death of another and
was} while using a
250 wireless communication device for text messaging or electronic mail communication at the
251 time of operation causing the death of another .

5. *Page 9, Lines 254 through 257:*

254 (b) Criminal homicide is automobile homicide, a second degree felony, if the person
255 operates a motor vehicle in a criminally negligent manner {causing the death of
another and was} while
256 using a wireless communication device for text messaging or electronic mail
communication at
257 the time of operation causing the death of another .

Respectfully,

Stephen H. Urquhart
Committee Chair

Voting: 5-0-2

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