

1 **WIRELESS TELEPHONE USE RESTRICTION FOR MINORS**
2 **IN VEHICLES**

3 2011 GENERAL SESSION
4 STATE OF UTAH

5 **Chief Sponsor: Ross I. Romero**

6 House Sponsor: Lee B. Perry

7
8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Motor Vehicles Code by amending provisions relating to a person
11 younger than 18 years of age using a wireless telephone while operating a motor
12 vehicle.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ prohibits a person younger than 18 years of age from using a wireless telephone
16 while operating a motor vehicle;
17 ▶ provides affirmative defenses to the wireless telephone prohibition;
18 ▶ specifies a penalty for violating the wireless telephone prohibition; and
19 ▶ prohibits the Driver License Division from assessing points against a person's
20 driving record for being convicted of violating the wireless telephone prohibition.

21 **Money Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**

26 ENACTS:

27 **41-8-4**, Utah Code Annotated 1953



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

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

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

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

(2) It is an affirmative defense to a violation of this section that a person younger than 18 years of age was using a wireless telephone while operating a motor vehicle:

(a) during a medical emergency;

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

(c) when reporting a criminal activity or requesting assistance relating to a criminal activity; or

(d) when communicating with a parent or legal guardian.

(3) A person who violates this section is guilty of an infraction and shall be fined a maximum of \$50.

(4) Upon receiving a record of conviction under this section, the Driver License Division may not assess points against the driving record of the person who violates this section under Section 53-3-221.

Legislative Review Note
as of 1-25-11 12:37 PM

Office of Legislative Research and General Counsel