

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	6 - 1 - 0
<b>Yeas:</b>	Buckley, Gilman, Read, Smith G., Tomei, Beyer
<b>Nays:</b>	Butler
<b>Exc.:</b>	0
<b>Prepared By:</b>	Judith Callens, Administrator
<b>Meeting Dates:</b>	4/16, 4/30

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**WHAT THE MEASURE DOES:** Prohibits person under 18 years of age who holds a provisional driver license, special student driver permit or instruction driver permit, from using a mobile communication device while operating a motor vehicle on a highway. Provides exception for person summoning medical or other emergency help if no other person in vehicle is capable of summoning help. Defines mobile communication device. Specifies that a police officer may enforce this provision only as a secondary action when driver has been detained for other suspected traffic violation. Creates Class B traffic violation.

**ISSUES DISCUSSED:**

- Studies on traffic safety impacts from use of cell phones
- Use of hands-free devices
- Other types of two-way communication devices used by utility workers, bus drivers, etc.
- Types of licenses or permits held by persons under 18

**EFFECT OF COMMITTEE AMENDMENT:** Replaces original measure.

**BACKGROUND:** According to a 2005 Insurance Institute for Highway Safety study, motorists who use cell phones while driving are four times as likely to be in a serious injury accident. In 1990, there were 4.3 million cell phones in use while today 231 million cell phones are in use nationwide.

As of November 2006, 14 states had laws banning or restricting young drivers from using cell phones with an additional four states that ban or restrict use for all drivers. HB 2872A prohibits a person under 18 years of age that holds a provisional driver license, special student driver permit or instruction driver permit from using a mobile communication device while operating a motor vehicle on a highway unless summoning emergency assistance. Police officers may only cite youth for a violation as a secondary action when the driver has been detained for another suspected traffic violation. The offense is a Class B traffic violation carrying a fine of up to \$360.