

1 or other device that enables a person to engage in text-based
2 communication or additional technology activities.

3 (2) "Additional technology" means access by the mobile
4 communication device to technologies including, but not limited to,
5 electronic mail, the Internet, music, games or a camera.

6 (b) A person may not use a handheld mobile communication
7 device to write, read, or send a text message as a means of
8 communicating with another person, or engage in additional
9 technology activities that require the motor vehicle operator to
10 hold the device in one of his or her hands while operating a moving
11 vehicle on the roadway.

12 (c) The provisions of this section do not apply to:

13 (1) The operator of any emergency vehicle;

14 (2) An operator who is lawfully stopped or parked;

15 (3) The use of a global positioning system (GPS); and

16 (4) The use of the mobile communication device for voice
17 transmitted communication and reception.

18 (d) Any person violating the provisions of this section is
19 guilty of a misdemeanor and, upon conviction thereof, shall be
20 fined not more than \$250; upon a second conviction, shall be fined
21 not more than \$500; and upon a third or subsequent conviction,
22 shall be fined not more than \$1,000.

NOTE: The purpose of this bill is to prohibit the use of a handheld mobile communication device to engage in text messaging and additional technology while operating a motor vehicle and to

provide a penalty for violations.

This section is new; therefore, it has been completely underscored.