

FIRST REGULAR SESSION

HOUSE BILL NO. 664

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DEMPSEY (Sponsor), EL-AMIN, SMITH (14), BIVINS, DAUS,
SATER AND WALLACE (Co-sponsors).

Read 1st time January 30, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1302L.01I

AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to cellular telephone use, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 304, RSMo, is amended by adding thereto one new section, to be
2 known as section 304.815, to read as follows:

**304.815. 1. No person shall operate a motor vehicle, as defined in section 301.010,
2 RSMo, while using a cellular telephone unless that telephone is specifically designed and
3 configured to allow hands-free listening and talking and is used in that manner while
4 driving, or the motor vehicle is stationary.**

5 2. The provisions of this section shall not apply to:

6 (1) Motor vehicles operated on private property;

**7 (2) A person using a cellular telephone for emergency purposes, including, but not
8 limited to, an emergency call to a law enforcement agency, healthcare provider, fire
9 department, or other emergency services agency or entity;**

**10 (3) An emergency services professional using a cellular telephone while operating
11 an authorized emergency vehicle in the course and scope of his or her duties; or**

**12 (4) A person using a digital two-way radio that utilizes a cellular telephone that
13 operates by depressing a push-to-talk feature and does not require immediate proximity
14 to the ear of the user, and the person is driving one of the following vehicles:**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 (a) A commercial motor vehicle, as defined in section 301.010, RSMo, excluding
16 pickup trucks; or

17 (b) A wrecker or tow truck, as defined in section 301.010, RSMo.

18 3. Violation of this section shall be deemed an infraction punishable by a twenty
19 dollar fine for a first offense, and a fifty dollar fine for a second offense.

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