

SECOND REGULAR SESSION

# HOUSE BILL NO. 1702

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BROWN (30).

Read 1st time January 16, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to using a mobile communication device while operating a moving motor vehicle, with a penalty provision.

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*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 304.033, to read as follows:

**304.033. 1. A person commits the crime of using a mobile communication device  
2 while operating a moving motor vehicle if such person is under eighteen years of age and  
3 uses a mobile communication device while operating a moving motor vehicle.**

**4 2. As used in this section "mobile communication device" includes any cellular  
5 phone, palm pilot, blackberry, or other mobile electronic device used to communicate  
6 verbally or by text messaging, but shall not include any built-in navigational or emergency  
7 road service assistance system.**

**8 3. Using a mobile communication device while operating a moving motor vehicle  
9 is an infraction for which a fine not to exceed ten dollars and court costs may be imposed.  
10 In no case shall points be assessed against any person under section 302.302, RSMo, for a  
11 violation of this section.**

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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.