

SECOND REGULAR SESSION

HOUSE BILL NO. 2444

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WEBB.

5488L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to wireless 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 known as section 304.815, to read as follows:

304.815. 1. Beginning July 1, 2011, no person shall operate a motor vehicle, as defined in section 301.010, while using a wireless telephone unless that telephone is specifically designed and configured to allow hands-free listening and talking and is used in that manner while driving, or the motor vehicle is stationary.

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

(1) Motor vehicles operated on private property;

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

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

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

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

(b) A wrecker or tow truck, as defined in section 301.010; or

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.

18 (c) A farm tractor as defined in section 301.010.

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

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