

**PROHIBIT HAND-HELD CELL
PHONE FOR NOVICE DRIVERS**

House Bill 5084

Sponsor: Rep. Frank Accavitti, Jr.

Committee: Transportation

Complete to 10-3-03

A SUMMARY OF HOUSE BILL 5084 AS INTRODUCED 9-25-03

House Bill 5084 would amend the Michigan Vehicle Code to prohibit a driver from using a hand-held cellular telephone while driving, if the driver has been issued a temporary instruction permit, or if the driver has level 1 or level 2 graduated licensing status to operate a motor vehicle. The bill specifies that a person who violated this section of the law would be responsible for a civil infraction.

Under Michigan's three-tier graduated driver licensing law, a new driver who has completed segment 1 of a driving course is issued a level 1 license, and may operate a vehicle when accompanied either by a licensed parent or legal guardian, or, with the permission of the parent or guardian, a licensed driver 21 years of age or older. A person must have level 1 status for at least six months. After six months, a person is issued a level 2 graduated licensing status, if he or she successfully completes segment 2 of a driver education course, incurs no moving violations that result in a conviction or civil infraction, is not involved in an accident during the 90 days before making application, and presents a certificate that he or she was accompanied by a parent or guardian, and had accumulated at least 50 hours of behind-the-wheel experience (including at least 10 night-time hours). A driver must remain at level 2 status for at least six months (a time period that can be extended if the novice driver has an accident), and cannot operate a vehicle from midnight to 5 a.m. unless accompanied by a parent or guardian, or a licensed driver over the age of 21 designated by the parent or guardian, or except when going to or from employment. Then, after a driver turns 17 years of age he or she can be issued a level 3 status, if the driver has completed 12 consecutive months without a moving violation, accident, or license suspension while at level 2. House Bill 5084 would retain all of these provisions.

MCL 257.602b

Analyst: J. Hunault

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