

Legislative Analysis



PROHIBIT MOBILE PHONE USE WHILE DRIVING

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House Bill 4982

Sponsor: Rep. Gino Polidori

Committee: Transportation

Complete to 5-7-08

A SUMMARY OF HOUSE BILL 4982 AS INTRODUCED 6-27-07

The bill would amend the Michigan Vehicle Code (MCL 257.320a) to prohibit a person from using a cell phone while driving. However, the prohibition would not apply to a person using a hands-free cellular communications device.

The bill specifies that a person shall not use a cellular telephone device while operating a motor vehicle upon a highway or street. Under the bill, "use" means to initiate a call; answer a call; listen to or engage in verbal communication through the device; or type, send, or receive a text message or an instant message.

The bill would not apply to a person who used a cell phone to do any of the following:

- Report a traffic accident, medical emergency, or serious road hazard.
- Report a personal safety situation.
- Report or avert a crime (or potential crime) against another.
- Carry out official duties as a police officer, law enforcement official, member of a paid or volunteer fire department, or operator of an emergency vehicle.

Finally, the bill specifies that enforcement of the prohibition would be accomplished only as a secondary action when a driver had been detained for a suspected violation of another section of the Vehicle Code. A person who violated the prohibition would be responsible for a civil infraction punishable by a fine of \$100.

FISCAL IMPACT:

The bill would likely have an undetermined positive fiscal impact on state and local government through increased fine collections. The bill would have no fiscal impact to the Department of State.

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