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Senate Bill 402 (as introduced 3-24-09)

Sponsor: Senator Buzz Thomas Committee: Transportation

Date Completed: 12-7-09

## **CONTENT**

The bill would amend the Michigan Vehicle Code to prohibit a person from using certain electronic devices while operating a motor vehicle, with certain exceptions.

Specifically, an individual could not use a cellular telephone device, personal digital assistant, electronic gaming device, or other electronic device that was unrelated to the operation of the vehicle and that had a keyboard or screen, to do any of the following while operating a motor vehicle in motion on a street or highway:

- -- Engage in nonverbal communication with another person.
- -- Play a game.
- -- Enter data.

Those provisions would not prohibit an individual from using a cellular phone or other communication device to do any of the following:

- -- Report a traffic accident, medical emergency, or serious road hazard.
- -- Report a situation in which the person believed his or her personal safety was in jeopardy.
- -- Report or avert the perpetration or potential perpetration of a criminal act against the individual or another person.
- -- Carry out official duties as a police officer, law enforcement official, member of a paid or volunteer fire department, or emergency vehicle operator.

State or local law enforcement agencies could enforce the bill only as a secondary action when a driver of a motor vehicle had been detained for a suspected violation of another section of the Code.

An individual who violated the bill would be responsible for a civil infraction and could be fined up to \$100.

Points could not be entered on an individual's driving record for a violation of the bill.

MCL 257.320a et al. Legislative Analyst: Curtis Walker

## **FISCAL IMPACT**

The bill would have no fiscal impact on State government.

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Depending on the number of infractions, \$100 for each infraction would go to the local libraries of the jurisdiction in which the infraction occurred. The number of potential infractions is unknown.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.