

FIRST REGULAR SESSION

HOUSE BILL NO. 670

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CAMPBELL AND HOLAND (Co-sponsors).

Read 1st time February 7, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1392L.011

AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to the regulation of certain telecommunications technology by drivers of motor vehicles, with penalty provisions and a delayed effective date.

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 304.145, to read as follows:

304.145. 1. No person shall operate any hand-held wireless telephone or telecommunications device, except citizens band radio devices technically limited to transmit and receive frequency of between 26.985 megahertz and 27.405 megahertz, while operating any moving motor vehicle, unless such telephone or device is used with a hands-free feature that leaves both the operator's hands available to operate the motor vehicle. This section shall not apply to emergency personnel in the course of performing their duties, nor shall it apply to any individual dialing 911 or any other law enforcement or medical assistance number.

2. The general assembly hereby occupies and preempts the entire field of legislation touching in any way on the regulation of the use of hand-held wireless telephones or telecommunications devices by operators of moving motor vehicles, except radio devices, and except insofar as the state is preempted by federal law, to the complete exclusion of any order, ordinance or regulation by any political subdivision of this state. Any existing or future orders, ordinances or regulations in this field are hereby and shall be null and void.

3. Any person who violates the provisions of subsection 1 of this section is guilty of a class B misdemeanor, unless an accident is involved, in which case the person shall be guilty of a class A misdemeanor.

Section B. The provisions of section A of this act shall become effective August 28,
2 2004.