

**HOUSE BILL NO. 15**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES GARDNER AND TUCK, Muñoz

Introduced: 1/20/09

Referred: Judiciary, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act relating to prohibiting the use of cellular telephones by minors when driving a**  
2   **motor vehicle; and providing for an effective date."**

3   **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4    \* **Section 1.** AS 28.35 is amended by adding a new section to read:

5           **Sec. 28.35.165. Prohibited use of cellular telephone.** (a) A person under 18  
6       years of age may not use a cellular telephone when driving a motor vehicle on a  
7       highway or vehicular way or area.

8           (b) Notwithstanding any other provision of law, a peace officer may not stop  
9       or detain a motor vehicle to determine compliance with (a) of this section, or issue a  
10      citation for a violation of (a) of this section, unless the peace officer has probable  
11      cause to stop or detain the motor vehicle other than for a violation of (a) of this  
12      section.

13           (c) A person who violates this section is guilty of an infraction and may be  
14      punished as provided under AS 28.90.010.

1      \* **Sec. 2.** This Act takes effect July 1, 2009.