

CS FOR HOUSE BILL NO. 22(TRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE

Offered: 3/9/11

Referred: Judiciary, Finance

Sponsor(s): REPRESENTATIVES MUÑOZ AND HERRON, Gruenberg

A BILL

FOR AN ACT ENTITLED

1 **"An Act prohibiting the use of a cellular telephone when driving a motor vehicle; and**
2 **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 may not
6 use a cellular telephone when driving a motor vehicle on a highway or vehicular way
7 or area.

8 (b) This section does not apply to a person

9 (1) using a cellular telephone for emergency purposes, including an
10 emergency call to a law enforcement agency, fire department, or other emergency
11 services agency or entity; or

12 (2) 18 years of age or older using a cellular telephone by hands-free
13 mode.

14 (c) In this section,

- 1 (1) "emergency" has the meaning given in AS 42.20.150;
- 2 (2) "hands-free mode" means use of a cellular telephone for listening
- 3 or talking by means of a speaker function, headset, or earpiece without holding the
- 4 telephone.
- 5 (d) A person who violates this section is guilty of an infraction and may be
- 6 punished as provided under AS 28.90.010.
- 7 * **Sec. 2.** This Act takes effect July 1, 2011.