

27-LS0155\B
Luckhaupt
2/24/11

CS FOR HOUSE BILL NO. 22()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY

Offered:

Referred:

Sponsor(s): REPRESENTATIVES MUÑOZ AND HERRON

A BILL

FOR AN ACT ENTITLED

1 **"An Act prohibiting the use of a cellular telephone when driving a motor vehicle."**

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

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

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

7 (b) This section does not apply to a person using a cellular telephone

8 (1) for emergency purposes, including an emergency call to a law
9 enforcement agency, fire department, or other emergency services agency or entity; or

10 (2) by hands-free mode.

11 (c) In this section,

12 (1) "emergency" has the meaning given in AS 42.20.150;

13 (2) "hands-free mode" means use of a cellular telephone for listening
14 or talking by means of a speaker function, headset, or earpiece without holding the
15 telephone.

- 1 (d) A person who violates this section is guilty of an infraction and may be
2 punished as provided under AS 28.90.010.