

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.