

**HB**

**35**

<TARGET><BILL>HB 35</BILL><SUBJECT>HB  
35</SUBJECT><COMM>HTRA27</COMM></TARGET>

**HOUSE BILL NO. 35**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE DOOGAN

Introduced: 1/18/11

Referred: Transportation, Judiciary, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to prohibiting the use of cellular telephones when driving a motor  
2 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 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 using a cellular telephone for  
9 emergency purposes, including an emergency call to a law enforcement agency, fire  
10 department, or other emergency services agency or entity.

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

13 \* **Sec. 2.** This Act takes effect July 1, 2011.



## Alaska State Legislature

**Mike Doogan**

Representative  
District 25, Anchorage

April 7, 2009

The Honorable Representative Peggy Wilson  
Alaska State Capitol  
Room 408  
Juneau, AK 99801

Dear Representative Wilson:

I understand the House Transportation Committee you chair will be taking up the issue of cell phone use while driving on March 1. It was also brought to my attention that you offered to look at the several cell phone related bills at the same time, though Rep. Munoz' HB 22 will be the likely vehicle moving forward.

I appreciate the opportunity to present my own HB 35, but, in the interest of time and efficiency, I will respectfully decline to do so. I would urge the committee to consider some of the merits of HB 35 as it deliberates on this important safety issue. The difference between the two bills is that HB 22 makes an exception for hands-free cell phone use, while my bill does not. Studies have shown that hands-free cell use is not significantly less distracting, and that driving ability is still impaired. It is different than talking to a passenger in the car, because it requires different thought processes, and also because passengers are aware of changing road conditions.

Again, I thank you for the opportunity to present, though I respectfully decline, and hope the committee will pass a bill that best provides for safe roadways.

Sincerely,

A handwritten signature in cursive script that reads "Mike Doogan".

Rep. Mike Doogan

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