March 21, 2007

S 1399. BAN MOBILE PHONE USE WHILE DRIVING. Filed 3/21/07. *TO MAKE USING A MOBILE PHONE UNLAWFUL WHILE OPERATING A MOTOR VEHICLE ON A PUBLIC STREET OR HIGHWAY*.

Enacts new GS 20-140.6 making it unlawful to use a mobile phone to make a call while operating a motor vehicle on a public street or highway. Does not apply to (1) hands-free mobile phones, (2) using a phone in an emergency situation, or (3) a call made by a police officer, member of the fire department, or ambulance operation in performance of official duties. Prohibits school bus drivers from using a mobile phone or other electronic device, including hands-free devices, while operating a moving school bus carrying passengers, unless it is for placing an emergency call. Violations are punishable by a fine of $100 and court costs, and no points are to be assessed by the Division of Motor Vehicles. Provides that local governments may not regulate the use of mobile telephones. Effective for offenses on or after December 1, 2007.

Intro. by Dannelly. GS 20

May 23, 2007

S 1399. BAN MOBILE PHONE USE WHILE DRIVING. Filed 3/21/07. Senate committee substitute makes the following changes to 1st edition. Modifies definitions in new GS 20-140.6, deleting some definitions and conforming others to definitions in existing GS 20-137.3. Reduces fine to $25 (was, $100 and the cost of court). Provides that the offense is an offense for which a defendant may waive the right to a hearing or trial and admit responsibility for the infraction pursuant to GS 7A-148 and that failure to comply with the statute is not negligence per se or contributory negligence. Makes technical changes.