

1 H.277

2 Introduced by Representatives Masland of Thetford, Atkins of Winooski,

3 Jerman of Essex and McCullough of Williston

4 Referred to Committee on

5 Date:

6 Subject: Motor vehicles; cellular telephones

7 Statement of purpose: This bill proposes to restrict an operator of a motor

8 vehicle in the use of a cellular telephone while driving and to provide for

9 secondary enforcement of this provision.

10 An act relating to restricting an operator of a motor vehicle in the use of a
11 cellular telephone while driving on the traveled portion of a highway and
12 establishing secondary enforcement of this provision

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 23 V.S.A. § 1095a is added to read:

15 § 1095a. USING A CELLULAR TELEPHONE WHILE OPERATING

16 (a) The operator of a motor vehicle shall not use a cellular telephone,
17 except to place an emergency 911 call, while the vehicle is in motion on the
18 traveled portion of a highway.

19 (b) This section may be enforced only if a law enforcement officer has
20 detained the operator of a motor vehicle for a suspected violation of another
21 traffic offense. An operator shall not be subject to the penalty established in

1 this section unless the operator is required to pay a penalty for the primary
2 offense.

3 (c) The penalty for violation of this section shall be as follows:

4 (1) \$25.00 for a first violation;

5 (2) \$50.00 for a second violation;

6 (3) \$100.00 for third and subsequent violations.