

HOUSE BILL No. 5396

October 31, 2007, Introduced by Reps. Sak, Bieda and Dean and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 602b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 602B. (1) A PERSON SHALL NOT READ, WRITE, OR SEND A TEXT
2 MESSAGE ON A WIRELESS 2-WAY COMMUNICATION DEVICE, INCLUDING A RADIO
3 TELEPHONE USED IN CELLULAR TELEPHONE SERVICE OR PERSONAL
4 COMMUNICATION SERVICE, WHILE OPERATING A MOTOR VEHICLE ON A HIGHWAY
5 OR STREET IN THIS STATE.

6 (2) SUBSECTION (1) DOES NOT APPLY TO AN INDIVIDUAL WHO IS
7 USING A DEVICE DESCRIBED IN SUBSECTION (1) TO DO ANY OF THE
8 FOLLOWING:

9 (A) REPORT A TRAFFIC ACCIDENT, MEDICAL EMERGENCY, OR SERIOUS
10 ROAD HAZARD.

11 (B) REPORT A SITUATION IN WHICH THE PERSON BELIEVES HIS OR HER

1 PERSONAL SAFETY IS IN JEOPARDY.

2 (C) REPORT OR AVERT THE PERPETRATION OR POTENTIAL PERPETRATION
3 OF A CRIMINAL ACT AGAINST THE INDIVIDUAL OR ANOTHER PERSON.

4 (D) CARRY OUT OFFICIAL DUTIES AS A POLICE OFFICER, LAW
5 ENFORCEMENT OFFICIAL, MEMBER OF A PAID OR VOLUNTEER FIRE
6 DEPARTMENT, OR OPERATOR OF AN EMERGENCY VEHICLE.

7 (3) ENFORCEMENT OF THIS SECTION BY STATE OR LOCAL LAW
8 ENFORCEMENT AGENCIES SHALL BE ACCOMPLISHED ONLY AS A SECONDARY
9 ACTION WHEN A DRIVER OF A MOTOR VEHICLE HAS BEEN DETAINED FOR A
10 SUSPECTED VIOLATION OF ANOTHER SECTION OF THIS ACT.

11 (4) AN INDIVIDUAL WHO VIOLATES THIS SECTION IS RESPONSIBLE FOR
12 A CIVIL INFRACTION PUNISHABLE BY A FINE OF \$500.00.