



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 468 (as introduced 4-23-09)
Sponsor: Senator Roger Kahn, M.D.
Committee: Transportation

Date Completed: 12-7-09

CONTENT

The bill would amend the Michigan Vehicle Code to prohibit an individual from using a cellular telephone device while operating a motor vehicle in motion on a street or highway, with certain exceptions.

For the purpose of that provision, "use" would mean to initiate or answer a call; listen to or engage in verbal communication through the device; or type, send, or receive a text message or an instant message.

The prohibition would not apply to an individual who was using a hands-free cellular telecommunications device.

It also would not apply to an individual who was using a cellular phone to do any of the following:

- Report a traffic accident, medical emergency, or serious road hazard.
- Report a situation in which the person believed his or her personal safety was in jeopardy.
- Report or avert the perpetration or potential perpetration of a criminal act against the individual or another person.
- Carry out official duties as a police officer, law enforcement official, member of a paid or volunteer fire department, or emergency vehicle operator.

An individual who violated the bill would be responsible for a civil infraction and could be fined up to \$100.

Points could not be entered on an individual's driving record for a violation of the bill.

MCL 257.320a et al.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have no fiscal impact on State government.

Depending on the number of infractions, \$100 for each infraction would go to the local libraries of the jurisdiction in which the infraction occurred. The number of potential infractions is unknown.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.