MISSISSIPPI LEGISLATURE

By: Representative Smith (27th)

To: Judiciary B

HOUSE BILL NO. 818

AN ACT TO CREATE A MISDEMEANOR OFFENSE OF CAUSING A MOTOR VEHICLE ACCIDENT WHILE USING A CELLULAR PHONE OR OTHER SIMILAR DEVICE; TO PROVIDE A PENALTY FOR VIOLATIONS; TO PROVIDE THAT A VIOLATION OF THIS ACT IS NEGLIGENCE PER SE; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Any person who causes a motor vehicle accident while using a cellular phone, mobile phone or other similar telecommunication or radio device, and it is determined that the use of such device contributed to the cause of the accident shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than One Thousand Dollars ($1,000.00). A conviction under this section shall be considered negligence per se in any civil action.

SECTION 2. This act shall take effect and be in force from and after July 1, 2002.