

By: Representative Mayo

To: Transportation

HOUSE BILL NO. 90

1 AN ACT TO PROHIBIT THE USE OF CELLULAR TELEPHONES WHILE
2 OPERATING A MOTOR VEHICLE WITHOUT USING HANDS-FREE ACCESSORIES; TO
3 PROVIDE PENALTIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** (1) It is unlawful for any person to use a
6 cellular telephone while operating a motor vehicle without using
7 hands-free accessories. The term "hands-free accessories," as
8 used in this section, means a device or devices that allow a motor
9 vehicle operator to speak on a cellular telephone without holding
10 such telephone or some part of such telephone with his hands.

11 (2) Any person who violates the provisions of this section
12 shall be subject to the following penalties:

13 (a) Upon conviction of a first offense, the person
14 shall be fined One Hundred Fifty Dollars (\$150.00).

15 (b) Upon conviction of a second offense, the offenses
16 being committed within a three-year period, the person shall be
17 fined Three Hundred Dollars (\$300.00).

18 (c) Upon conviction of a third or subsequent offense,
19 the offenses being committed within a three-year period, the
20 person shall be fined Five Hundred Dollars (\$500.00), shall be
21 imprisoned for six (6) months in the county jail and shall be
22 sentenced to community service work for not less than ten (10)
23 days.

24 **SECTION 2.** This act shall take effect and be in force from
25 and after July 1, 2006.