

By: Representative Mayo

To: Transportation

HOUSE BILL NO. 125

1 AN ACT TO PROHIBIT THE USE OF CELLULAR TELEPHONES WITHOUT
2 USING HANDS-FREE ACCESSORIES WHILE OPERATING A MOTOR VEHICLE; 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 without using hands-free accessories while
7 operating a motor vehicle. 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 the telephone or some part of the telephone with his hands.

11 (2) The prohibitions of subsection (1) of this section shall
12 not apply to calls made solely to E911 and calls made while the
13 vehicle is parked.

14 (3) Any person who violates the provisions of this section
15 is subject to the following penalties:

16 (a) Upon conviction of a first offense, the person
17 shall be fined not more than One Hundred Fifty Dollars (\$150.00).

18 (b) Upon conviction of a second offense, the offenses
19 having been committed within a three-year period, the person shall
20 be fined not more than Three Hundred Dollars (\$300.00).

21 (c) Upon conviction of a third or subsequent offense,
22 the offenses having been committed within a three-year period, the
23 person shall be fined not more than Five Hundred Dollars
24 (\$500.00), shall be imprisoned for not more than six (6) months in
25 the county jail and shall be sentenced to community service work
26 for not less than ten (10) days.



27 **SECTION 2.** This act shall take effect and be in force from
28 and after July 1, 2011.

