

By: Representative Denny

To: Transportation

HOUSE BILL NO. 324

1 AN ACT TO PROVIDE THAT STATE LAW REGULATING INATTENTIVE
2 DRIVING AND THE USE OF CELLULAR PHONES IN MOTOR VEHICLES PREEMPTS
3 ANY LOCAL ORDER, ORDINANCE OR REGULATION; TO AMEND SECTION
4 63-3-212, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** State law shall occupy and preempt the entire
8 field of legislation in this state relating in any way to the
9 regulation of inattentive driving and cellular phone usage in
10 motor vehicles, to the complete exclusion of any order, ordinance
11 or regulation by any county, municipality or other political
12 subdivision of this state. Any order, ordinance or regulation in
13 this field enacted before or after the effective date of this act
14 by any county, municipality or other political subdivision of this
15 state is null and void.

16 **SECTION 2.** Section 63-3-212, Mississippi Code of 1972, is
17 amended as follows:

18 63-3-212. No county, municipality or other political
19 subdivision shall enact any ordinance restricting the use of
20 cellular phones in any motor vehicle unless the state * * *
21 authorizes a county, municipality or other political subdivision
22 to enact that type of an ordinance.

23 **SECTION 3.** This act shall take effect and be in force from
24 and after July 1, 2011.

