

By: Representative Clarke

To: Transportation

HOUSE BILL NO. 684

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  
9 vehicle operator to speak on a cellular phone without holding the  
10 phone or some part of the phone 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 shall be 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.

