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# HOUSE BILL No. 1446

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-13-2-103.3; IC 9-21-8.

**Synopsis:** Prohibition of mobile telephone use. Provides that a person who operates a motor vehicle and simultaneously uses a mobile telephone commits a Class D infraction. Creates exceptions for: (1) a person who uses a mobile telephone for not more than thirty (30) seconds to answer an incoming call; (2) an authorized emergency vehicle; (3) a medical services vehicle; and (4) a privately owned vehicle if the operator of or a passenger in the vehicle is a volunteer firefighter or a certified emergency medical technician en route to the scene of an emergency and a warning light is displayed on the vehicle.

**Effective:** July 1, 2001.

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## Whetstone, Thompson, Kersey

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January 11, 2001, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

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## HOUSE BILL No. 1446



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 9-13-2-103.3 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2001]: **Sec. 103.3. "Mobile telephone" means**  
4 **a telephone through which the user may place and receive calls**  
5 **over a commercial mobile radio service (CMRS) (as defined in**  
6 **IC 36-8-16.5-5).**

7 SECTION 2. IC 9-21-8-49, AS AMENDED BY P.L.18-1999,  
8 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2001]: Sec. 49. Except as provided in sections 50, 51, 52,  
10 **52.5**, and 54 of this chapter, a person who violates this chapter commits  
11 a Class C infraction.

12 SECTION 3. IC 9-21-8-52.5 IS ADDED TO THE INDIANA CODE  
13 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
14 1, 2001]: **Sec. 52.5. (a) Except as provided in subsections (b) and (c),**  
15 **a person who operates a motor vehicle and simultaneously uses a**  
16 **mobile telephone (as defined in IC 9-13-2-103.3) commits a Class**  
17 **D infraction.**



- 1       **(b) Subsection (a) does not apply to a person who:**
- 2           **(1) uses a mobile telephone to answer an incoming call; and**
- 3           **(2) uses the mobile telephone for not more than thirty (30)**
- 4           **seconds, measured from the time the call is received to its**
- 5           **termination.**
- 6       **(c) Subsection (a) does not apply to an operator of:**
- 7           **(1) an authorized emergency vehicle;**
- 8           **(2) a medical services vehicle;**
- 9           **(3) a privately owned vehicle if:**
- 10           **(A) the operator of or a passenger in the vehicle is a**
- 11           **volunteer firefighter en route to the scene of a fire or other**
- 12           **emergency in the line of duty; and**
- 13           **(B) a blue light is displayed on the vehicle under**
- 14           **IC 36-8-12-11; or**
- 15           **(4) a privately owned vehicle if:**
- 16           **(A) the operator of or a passenger in the vehicle is a**
- 17           **certified emergency medical technician, a certified**
- 18           **emergency medical service driver, or a certified emergency**
- 19           **medical service first responder en route to the scene of**
- 20           **emergency medical service activities in the line of duty;**
- 21           **and**
- 22           **(B) a green light is displayed on the vehicle under**
- 23           **IC 9-19-14.5-1.**

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