

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 675 Session of  
2005

INTRODUCED BY CONTI, THOMPSON, ERICKSON, STACK AND MUSTO,  
MAY 10, 2005

REFERRED TO TRANSPORTATION, MAY 10, 2005

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, prohibiting operators from using handheld mobile  
3 telephones.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Title 75 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 3315. Prohibiting use of handheld mobile telephones.

9 (a) General rule.--Except as provided in subsection (b), no  
10 driver shall operate any moving vehicle on a highway of this  
11 Commonwealth, which shall include Federal, State and municipal  
12 highways, while using a handheld mobile telephone.

13 (b) Exception.--This section shall not apply to law  
14 enforcement officers and operators of emergency vehicles when on  
15 duty and acting in their official capacities.

16 (c) Defense.--It shall be a defense to a prosecution brought  
17 for a violation of this section that the driver had reason to  
18 fear for the driver's safety, was reporting a traffic accident

1 or was making a "911" emergency call.

2 (d) Penalty.--A person who violates this section commits a  
3 summary offense and shall, upon conviction, be sentenced to pay  
4 a fine of \$250.

5 (e) Definitions.--As used in this section, the following  
6 words and phrases shall have the meanings given to them in this  
7 subsection:

8 "Handheld mobile telephone." A mobile telephone other than a  
9 hands-free mobile telephone with which a user engages in a call  
10 using at least one hand.

11 "Hands-free mobile telephone." A mobile telephone that has  
12 an internal feature or function, or that is equipped with an  
13 attachment or addition, whether or not permanently part of such  
14 mobile telephone, by which a user engages in a call without the  
15 use of either hand, whether or not the use of either hand is  
16 necessary to activate, deactivate or initiate a function of such  
17 telephone.

18 Section 2. This act shall take effect in 60 days.