
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1461 Session of
2017

INTRODUCED BY DeLUCA, SOLOMON, HAGGERTY, SCHLOSSBERG, SAMUELSON,
MILLARD, O'NEILL, O'BRIEN, THOMAS, READSHAW AND COMMITTA,
MAY 31, 2017

REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 31, 2017

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in rules of the road in general, prohibiting use of
3 handheld mobile 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 § 3317. Prohibiting use of handheld mobile telephones.

9 (a) General rule.--Except as provided in subsection (b), no
10 driver shall operate a 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 an action under this
17 section that the driver had reason to fear for the driver's
18 safety, was reporting a traffic accident or was making a 911

1 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 \$50.

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 unless the context clearly indicates otherwise:

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 the
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 the
17 telephone.

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