

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 133 Session of
2007

INTRODUCED BY DALLY, BASTIAN, BEYER, BISHOP, BOYD, CALTAGIRONE,
COHEN, DeLUCA, DePASQUALE, FABRIZIO, FRANKEL, FREEMAN,
W. KELLER, KILLION, McILHATTAN, MELIO, NAILOR, O'NEILL,
RUBLEY, SAMUELSON, SAYLOR, SCAVELLO, SWANGER, J. TAYLOR AND
YOUNGBLOOD, JANUARY 31, 2007

REFERRED TO COMMITTEE ON TRANSPORTATION, JANUARY 31, 2007

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, prohibiting certain drivers from using mobile
3 phones.

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 § 3316. Prohibiting use of mobile phones.

9 (a) Drivers subject to restrictions.--No driver with a
10 learner's permit or junior driver's license shall drive a motor
11 vehicle on a highway in this Commonwealth, including Federal,
12 State and municipal highways, while using a mobile phone.

13 (b) Exceptions.--This section shall not apply to persons who
14 use a mobile phone for the sole purpose of reporting an accident
15 or emergency.

16 (c) Seizure.--The provisions of this section shall not be
17 construed as authorizing the seizure or forfeiture of a mobile

1 phone, unless otherwise provided by law.

2 (d) Penalty.--A person who violates subsection (a) commits a
3 summary offense and shall, upon conviction, be sentenced to pay
4 a fine of not less than \$1 nor more than \$300 or to a period of
5 community service to be determined by the sentencing authority.

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

9 "Hands-free mobile telephone." A telecommunications device
10 that receives an analog signal or digital signal, or both, and
11 is designed for use without being held by a person's hand while
12 speaking into the device.

13 "Mobile phone." A telecommunications device that receives an
14 analog signal or digital signal, or both, and that is designed
15 for handheld use, or a hands-free mobile telephone.

16 Section 2. This act shall take effect in six months.