



House of Representatives

General Assembly

File No. 377

January Session, 2009

House Bill No. 6410

House of Representatives, March 31, 2009

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE USE OF HAND-HELD MOBILE TELEPHONES BY MEMBERS OF THE ARMED FORCES WHILE OPERATING A MOTOR VEHICLE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 14-296aa of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (b) (1) Except as otherwise provided in this subsection and
5 subsections (c) and (d) of this section, no person shall operate a motor
6 vehicle upon a highway, as defined in subsection (a) of section 14-1,
7 while using a hand-held mobile telephone to engage in a call or while
8 using a mobile electronic device while such vehicle is in motion. (2) An
9 operator of a motor vehicle who holds a hand-held mobile telephone
10 to, or in the immediate proximity of, his or her ear while such vehicle
11 is in motion is presumed to be engaging in a call within the meaning of
12 this section. The presumption established by this subdivision is
13 rebuttable by evidence tending to show that the operator was not

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Judicial Dept.	GF - Potential Revenue Loss	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

To the extent that fewer citations (\$100 per violation) are issued as a consequence of the bill, a minimal revenue loss would occur.

The Out Years

The annualized ongoing fiscal impact identified above would remain constant into the out years since fine amounts are set by statute.

OLR Bill Analysis**HB 6410*****AN ACT CONCERNING THE USE OF HAND-HELD MOBILE TELEPHONES BY MEMBERS OF THE ARMED FORCES WHILE OPERATING A MOTOR VEHICLE.*****SUMMARY:**

This bill adds armed forces members, including Connecticut National Guard members, to the list of people exempt, while performing their official job duties, from the ban on talking on a hand-held cellular telephone or using a mobile electronic device while driving on a highway. The other exempt people are peace officers, firefighters, and drivers of ambulance or authorized emergency vehicles.

EFFECTIVE DATE: Upon passage

BACKGROUND***Cell Phone Use***

A driver at least age 18 may use a hand-held cellular phone, regardless of the prohibition, solely to communicate about an emergency with an emergency response operator, hospital, physician's office or health clinic, ambulance company, or fire or police department. School bus drivers may use hand-held cell phones under the same circumstances and also to place emergency calls to school officials.

Authorized Emergency Vehicles

By law, an "authorized emergency vehicle" is a (1) fire department vehicle, (2) police vehicle, or (3) public service company or municipal department ambulance or emergency vehicle designated or authorized for use as an emergency vehicle by the motor vehicle commissioner (CGS § 14-1(a)).

Mobile Electronic Device

The law defines a “mobile electronic device” as any hand-held or portable electronic equipment capable of providing data communication between two or more people. It includes text messaging or paging devices, personal digital assistants, laptop computers, video game equipment, digital video disk, and equipment that takes or transmits digital photographs. It does not include audio equipment or equipment installed in the vehicle to provide (1) navigation, emergency, or other aid to the driver or (2) video entertainment to rear-seat passengers.

COMMITTEE ACTION

Select Committee on Veterans' Affairs

Joint Favorable Change of Reference

Yea 10 Nay 0 (02/26/2009)

Transportation Committee

Joint Favorable

Yea 30 Nay 5 (03/13/2009)