

SENATE BILL NO. 342

BY SENATOR ERDEY

1 AN ACT

2 To amend and reenact R.S. 32:398(10)(A)(introductory paragraph) and to enact R.S. 32:289
3 and 398.10(A)(6), relative to operating motor vehicles; to prohibit certain persons
4 from using a cellular telephone while operating a motor vehicle; to provide for
5 certain exceptions; to provide relative for violations; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:398(10)(A)(introductory paragraph) is hereby amended and
9 reenacted and R.S. 32:289 and 398.10(A)(6) are hereby enacted to read as follows:

10 **§289. Cellular telephone use; certain drivers prohibited; exceptions; penalties**

11 **A. Except in a driver emergency and as provided in Subsection B of this**
12 **Section, any person, regardless of age, issued a first driver's license from this**
13 **state shall be prohibited from using a cellular telephone for any purpose while**
14 **operating a motor vehicle for a period of one year commencing from the date**
15 **of issuance of his first driver's license. The date of the original issuance shall be**
16 **indicated on the reverse of the license. However, this prohibition shall not apply**
17 **to any person who was previously licensed to drive in another jurisdiction.**

1 Section 2. The Louisiana Highway Safety Commission shall collect and compile
 2 statistical information on the number of accidents as well as the number of fatalities and
 3 injuries incurred in accidents which involve the use of a cellular telephone or other wireless
 4 telecommunications device to engage in a call or to write, send or read a text message. The
 5 statistical information shall include but not be limited to, the use of hands-free devices and
 6 hand held wireless communication device and cellular phones.

7 Section 3. The provisions of this Act shall not become effective until the
 8 implementation of the Next Generation Motor Vehicle project of the Department of Public
 9 Safety and Corrections, office of motor vehicles is finalized.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____