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S.F. No. 91 - Use of Wireless Communications Devices While Driving (First Unofficial Engrossment)

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Section 1. Wireless communications device. This section amends the definition of “wireless communications device” to exclude devices that are permanently physically integrated into the vehicle; GPS or navigation systems; and two-way radios, citizens band radio, and amateur radio equipment.

Section 2. Use of Wireless Communications Device. This section amends the statute on using wireless communications devices while driving.

Subdivision 1. Definitions. This section amends the definition of “electronic message” and defines “voice-activated” or “hands-free mode” and what it means to be “in motion or a part of traffic.”

Subd. 2. Prohibition on use; penalty. When a vehicle is in motion or a part of traffic on a public road, the driver is prohibited from using a wireless communications device to: (1) initiate, compose, read, or send an electronic message; (2) initiate a cellular phone call or participate in a phone call; (3) view or listen to images, pictures, or video content; or (4) access a web page. The penalty for violating the law is increased from \$225 to \$300 for a second or subsequent offense.

Subd. 3. Exceptions. The prohibitions in subdivision 2 do not apply if a wireless communications device is used: (1) only in a voice-activated or hands-free mode to make or participate in a phone call or to initiate; compose, read, or send an electric message; (2) to view or operate a global positioning system; (3) to listen to audio-based content; (4) in emergency situations; or (5) for performing official duties in an emergency vehicle.

Section 3. Effective date. This act is effective on August 1, 2019, and applies to acts committed on or after that date.

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