

**FLOOR AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1782  
\_\_\_\_\_ Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
\_\_\_\_\_ Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: John Wright \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

1st Session of the 52nd Legislature (2009)

FLOOR SUBSTITUTE  
FOR  
HOUSE BILL NO. 1782

By: Tibbs

FLOOR SUBSTITUTE

An Act relating to motor vehicles; prohibiting use of certain devices by operators of motor vehicles; providing exceptions; prescribing penalties; authorizing municipalities to enact certain ordinances; providing definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-901c of Title 47, unless there is created a duplication in numbering, reads as follows:

A. A person shall not operate a motor vehicle on a street or highway while using a electronic communication device to write, send, or read a text-based communication while the motor vehicle is in motion.

B. Subsection A of this section shall not apply to any of the following:

1. Law enforcement and safety personnel;
2. Drivers of authorized emergency vehicles;
3. Holders of commercial driver licenses while driving within the scope of their employment;

4. Public transit personnel;

5. A person who is reporting criminal, reckless, or negligent behavior;

6. A person who believes himself or herself to be in physical danger if that person is the only adult in the motor vehicle;

7. The use of a electronic communication device for the sole purpose of communicating with any of the following regarding an emergency situation:

- a. an emergency response operator,
- b. a hospital, physician's office or health clinic,
- c. a provider of ambulance services,
- d. a provider of firefighting services, or
- e. a law enforcement agency; or

8. A person who is operating an amateur radio and who holds a current, valid amateur radio station license issued by the Federal Communications Commission.

C. Any person who violates the provisions of subsection A of this section shall, upon conviction, be punished by a fine and court costs that shall not exceed Two Hundred Dollars (\$200.00).

D. Municipalities may enact and municipal police officers may enforce ordinances prohibiting and penalizing conduct under the provisions of this section, but the provisions of those ordinances shall be the same as provided for in this section, the enforcement provisions of those ordinances shall not be more stringent than those of this section, and the fine and court costs for municipal ordinance violations shall be the same or a lesser amount as provided for in this section.

F. As used in this section "electronic communication device" means an electronic device that permits the user to manually transmit a communication of written text by means other than through an oral transfer or wire communication. This term does not include a voice-activated global positioning or navigation system that is permanently affixed to a motor vehicle;

SECTION 2. This act shall become effective November 1, 2009.

52-1-<reqnum> kb 3-11-09