HOUSE BILL NO. 15

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE GARDNER

Introduced: 1/9/09
Referred: Prefiled

A BILL

FOR AN ACT ENTITLED

"An Act relating to prohibiting the use of cellular telephones by minors when driving a motor vehicle; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 28.35 is amended by adding a new section to read:

Sec. 28.35.165. Prohibited use of cellular telephone. (a) A person under 18 years of age may not use a cellular telephone when driving a motor vehicle on a highway or vehicular way or area.

(b) Notwithstanding any other provision of law, a peace officer may not stop or detain a motor vehicle to determine compliance with (a) of this section, or issue a citation for a violation of (a) of this section, unless the peace officer has probable cause to stop or detain the motor vehicle other than for a violation of (a) of this section.

(c) A person who violates this section is guilty of an infraction and may be punished as provided under AS 28.90.010.
*Sec. 2.* This Act takes effect July 1, 2009.