

FIRST REGULAR SESSION

SENATE BILL NO. 129

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS McKENNA, GREEN AND SHOEMYER.

Pre-filed December 18, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

0583S.011

AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to the use of electronic wireless communication devices by school bus drivers, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 304, RSMo, is amended by adding thereto one new section, to be known as section 304.810, to read as follows:

304.810. 1. A school bus driver who has been issued a school bus endorsement under section 302.272, RSMo, shall not use a handheld wireless telephone or other electronic wireless communications device used for remote two-way communication while operating a school bus on a highway within this state.

2. The provisions of this section shall not apply when a school bus is at a complete stop off the roadway or when a handheld wireless telephone or other electronic wireless communications device is used to call 911 or to contact law enforcement authorities or emergency response agencies in an emergency situation.

3. As used in this section, the following terms mean:

(1) "Electronic wireless communications device", includes any cellular phone, palm pilot, blackberry, or other mobile electronic device used to communicate verbally or by text messaging, but shall not include any built-in navigational or emergency road service assistance system;

(2) "Handheld wireless telephone", a device capable of sending or receiving telephone communications without an access line for service and which requires the operator to dial numbers manually or by voice recognition. The term does not include citizens band radios or citizens

21 **band radio hybrids;**

22 **(3) "Use of a handheld wireless telephone" or "use of electronic**
23 **wireless communications device", shall include but not be limited to,**
24 **talking or listening to another person on the telephone, text messaging,**
25 **or sending an electronic message via the wireless telephone or**
26 **electronic wireless communications device.**

27 **4. A violation of this section shall be deemed a class C**
28 **misdemeanor and shall be deemed a moving violation for purposes of**
29 **point assessment under section 302.302, RSMo.**

Unofficial ✓

Bill

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