

Senate Bill 115

By: Senator James of the 35th

A BILL TO BE ENTITLED
AN ACT

To amend Article 11 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to miscellaneous provisions of the uniform rules of the road, so as to change certain provisions relating to the use of cellular telephones while operating a vehicle; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 11 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to miscellaneous provisions of the uniform rules of the road, is amended by striking Code Section 40-6-241, relating to driver exercising due care, and inserting in its place the following:

"40-6-241.

A driver shall exercise due care in operating a motor vehicle on the highways of this state and shall not engage in any actions which shall distract such driver from the safe operation of such vehicle, provided that the proper use of a radio; or citizens band radio; ~~or mobile telephone~~ shall not be a violation of this Code section."

SECTION 2.

Said article is further amended by adding after Code Section 40-6-241, relating to driver exercising due care, a new Code section to read as follows:

"40-6-241.1.

(a) No person shall operate a motor vehicle while using a cellular telephone unless such telephone is equipped with a headset or hands-free device.

(b) Any person violating subsection (a) of this Code section shall be guilty of a misdemeanor punishable by a fine not to exceed \$50.00."

- 1 **SECTION 3.**
- 2 All laws and parts of laws in conflict with this Act are repealed.