

House Bill 67

By: Representatives Mayo of the 91<sup>st</sup>, Stephens of the 161<sup>st</sup>, and Gordon of the 162<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 40-6-241 of the Official Code of Georgia Annotated, relating to the  
2 exercise of due care by drivers while operating a motor vehicle, so as to provide that only  
3 hands-free communications devices shall be used in motor vehicles; to provide for related  
4 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Code Section 40-6-241 of the Official Code of Georgia Annotated, relating to the exercise  
8 of due care by drivers while operating a motor vehicle, is revised as follows:

9 "40-6-241.

10 A driver shall exercise due care in operating a motor vehicle on the highways of this state  
11 and shall not engage in any actions which shall distract such driver from the safe operation  
12 of such vehicle, provided that, except as prohibited by Code Sections 40-6-241.1 and  
13 40-6-241.2, the proper use of a radio, citizens band radio, hands-free mobile telephone, or  
14 amateur or ham radio shall not be a violation of this Code section. The use of a hand-held  
15 mobile telephone by any driver while operating a motor vehicle on the highways of this  
16 state shall be a violation of this Code section. The use of a hand-held mobile telephone by  
17 any driver while operating a motor vehicle on the highways of this state shall be violation  
18 of Code Sections 40-6-241.1 and 40-6-241.2, unless the exceptions contained in those Code  
19 sections are applicable."

20 SECTION 2.

21 This Act shall become effective on July 1, 2011.

22 SECTION 3.

23 All laws and parts of laws in conflict with this Act are repealed.