

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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HOUSE BILL 62

Short Title: Use of Cellular Telephones. (Public)

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Sponsors: Representatives McAllister; Fitch, Oldham, and Adams.

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Referred to: Rules, Calendar, and Operations of the House.

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February 7, 2001

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT CERTAIN USES OF CELLULAR TELEPHONES BY AN OPERATOR OF A MOTOR VEHICLE.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 3 of Chapter 20 of the General Statutes is amended by adding a new Part to read:

"Part 11C. Cellular Telephones.

**"§ 20-175.10. Use of cellular telephones.**

(a) Except as otherwise provided in this section, a person shall not operate a motor vehicle on the streets and highways of this State while using a handheld cellular telephone.

(b) An operator of a motor vehicle shall have a one-minute grace period on the receipt and transmission of cellular telephone calls. If an operator's cellular telephone call exceeds or the operator anticipates that a cellular telephone call will exceed the one-minute grace period, the operator shall either terminate the telephone call or pull the motor vehicle off the street or highway and park the motor vehicle in a manner that does not violate any laws of this State.

(c) The use of a handheld cellular telephone by an operator of a motor vehicle is not a violation of this section if the operator uses the telephone to call a 911 emergency number.

(d) For purposes of this section, "cellular telephone" means a radio-link telephone that provides dial tone access to a portable, mobile, or fixed location for which a charge is levied.

(e) This section shall not restrict the use of a radio-link telephone by any public safety, emergency service, or law enforcement agency.

(f) Violation of this section is an infraction."

**SECTION 2.** This act becomes effective December 1, 2001.