

SENATE BILL REPORT

SB 6100

As Reported By Senate Committee On:
Transportation, February 4, 2002

Title: An act relating to the use of a mobile telephone while operating a motor vehicle.

Brief Description: Restricting use of mobile telephones in moving motor vehicles.

Sponsors: Senators Eide, Prentice, Winsley and Kohl-Welles.

Brief History:

Committee Activity: Transportation: 3/7/01; 1/31/02, 2/4/02 [DPS, DNP].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 6100 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Eide, Jacobsen, Kastama, Keiser, Oke, Prentice, Shin and Swecker.

Minority Report: Do not pass.

Signed by Senators Horn, McAuliffe and T. Sheldon.

Staff: Tami Neilson (786-7452)

Background: The use of mobile phones while driving has increased dramatically in recent years. Concerns have been raised that the use of hand held mobile phones while driving increases the risk of traffic mishaps.

Summary of Substitute Bill: Any person operating a moving motor vehicle detained for an initial offense is guilty of a secondary offense/action if he or she is holding a wireless communications device. This violation is a traffic infraction unless the person is operating an emergency vehicle, using a hands-free wireless communications device, or using a hand-held wireless communications device to report an emergency, summon medical or emergency assistance, or prevent injury to a person or property.

Substitute Bill Compared to Original Bill: A person in violation is guilty of a traffic infraction, and the fine is unspecified. Enforcement may only be accomplished as a secondary action.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on January 1, 2005.

Testimony For: A study has shown that driving while speaking into a hand-held mobile phone is equivalent to driving while intoxicated. You have to think while talking with a hand-held cellular phone, unlike with grooming or eating, so it is more dangerous. Local regulations on cell phone use are confusing because it is difficult to tell where city and county limits end. Concerns: It is difficult to determine whether or not it is safer to use a hands free mobile phone compared to a hand held phone. Having a conversation while driving appears to be dangerous.

Testimony Against: Customers need to be educated about using a cell phone safely in vehicles. There is no evidence or credible study that shows that a hands-free phone is safer than a hand-held phone. Inattentive driving, including all distractions, should be punishable. The law is unnecessary since there are already careless/reckless driving infractions.

Testified: Senator Eide, prime sponsor; Cliff Webster, Verizon Wireless; Tom Walker, Qwest; Steve Lind, Washington Traffic Safety Commission; Dan Youmans, AT&T Wireless; Christopher Johnson, Voicestream Wireless; Steve Ganu, Cingular Wireless.