
SENATE BILL 6100

State of Washington 57th Legislature 2001 Regular Session

By Senators Eide, Prentice, Winsley and Kohl-Welles

Read first time 02/21/2001. Referred to Committee on Transportation.

1 AN ACT Relating to the use of a mobile telephone while operating a
2 motor vehicle; adding a new section to chapter 46.61 RCW; creating a
3 new section; prescribing penalties; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The use of mobile telephones by motorists
6 has increased in recent years. While mobile telephones have assisted
7 with quick reporting of road emergencies, their use has also
8 contributed to accidents and other mishaps on Washington state
9 roadways. When motorists hold a mobile telephone in one hand and drive
10 with the other, their chances of becoming involved in a traffic mishap
11 increase. It is the legislature's intent to phase out the use of hand-
12 held mobile telephones by motorists while operating a vehicle.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.61 RCW
14 to read as follows:

15 (1) Except as provided in subsection (2) of this section, any
16 person operating a moving motor vehicle while holding a mobile
17 telephone to his or her ear is guilty of a traffic infraction and
18 subject to a thirty-five dollar fine.

1 (2) Subsection (1) of this section does not apply to a person
2 operating:

3 (a) An authorized emergency vehicle;

4 (b) A moving motor vehicle using a mobile telephone in hands-free
5 mode;

6 (c) A moving motor vehicle who uses a hand-held mobile telephone
7 to:

8 (i) Report illegal activity;

9 (ii) Summon medical or other emergency help;

10 (iii) Prevent injury to a person or property.

11 (3) For purposes of this section, "hands-free mode" means the use
12 of a wireless telephone with a speaker phone, headset, or earpiece.

13 (4) The state preempts the field of regulating the use of mobile
14 telephones in motor vehicles, and this section supersedes any local
15 laws, ordinances, orders, rules, or regulations enacted by a political
16 subdivision or municipality to regulate the use of mobile telephones by
17 the operator of a motor vehicle.

18 NEW SECTION. **Sec. 3.** This act takes effect January 1, 2004.

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