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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 721 Session of  
2019

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INTRODUCED BY DeLUCA, HILL-EVANS, ISAACSON, MURT, MILLARD,  
SCHLOSSBERG, KINSEY AND NEILSON, MARCH 6, 2019

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REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 6, 2019

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in rules of the road in general, providing for  
3 prohibiting use of handheld mobile telephones.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Title 75 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 3318. Prohibiting use of handheld mobile telephones.

9 (a) General rule.--Except as provided in subsection (b), no  
10 driver shall operate a moving vehicle on a highway of this  
11 Commonwealth, which shall include a Federal, State and municipal  
12 highway, while using a handheld mobile telephone.

13 (b) Exception.--This section does not apply to law  
14 enforcement officers and operators of emergency vehicles when on  
15 duty and acting in their official capacities.

16 (c) Defense.--It shall be a defense to an action under this  
17 section that the driver had reason to fear for the driver's  
18 safety, was reporting a traffic accident or was making a 911

1 emergency call.

2 (d) Penalty.--A person who violates this section commits a  
3 summary offense and shall, upon conviction, be sentenced to pay  
4 a fine of \$50.

5 (e) Definitions.--As used in this section, the following  
6 words and phrases shall have the meanings given to them in this  
7 subsection unless the context clearly indicates otherwise:

8 "Handheld mobile telephone." A mobile telephone other than a  
9 hands-free mobile telephone with which a user engages in a call  
10 using at least one hand.

11 "Hands-free mobile telephone." A mobile telephone that has  
12 an internal feature or function, or that is equipped with an  
13 attachment or addition, whether or not permanently part of the  
14 mobile telephone, by which a user engages in a call without the  
15 use of either hand, whether or not the use of either hand is  
16 necessary to activate, deactivate or initiate a function of the  
17 telephone.

18 Section 2. This act shall take effect in 60 days.