

HB1094_L.017

SENATE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Finance.

After consideration on the merits, the Committee recommends the following:

HB09-1094 be amended as follows:

1 Amend reengrossed bill, page 2, strike lines 7 through 26 and substitute
2 the following:

3 (a) "Emergency" means a situation in which a person:

4 (I) Has reason to fear for such person's life or safety or believes
5 that a criminal act may be perpetrated against such person or another
6 person, requiring the use of a ~~mobile communication device~~ WIRELESS
7 TELEPHONE while the car is moving; or

8 (II) Reports a fire, a traffic accident in which one or more injuries
9 are apparent, a serious road hazard, a medical or hazardous materials
10 emergency, or a person who is driving in a reckless, careless, or otherwise
11 unsafe manner."

12 Page 3, line 1, strike "(b) (c)" and substitute "(b)".

13 Reletter succeeding paragraphs accordingly.

14 Page 3, strike lines 7 through 11.

15 Reletter succeeding paragraphs accordingly.

16 Page 3, strike lines 23 through 26 and substitute the following:

17 (2) ~~No A person who holds a temporary instruction permit or a~~

1 ~~minor's instruction permit pursuant to section 42-2-106 UNDER EIGHTEEN~~
2 ~~YEARS OF AGE shall NOT use a mobile".~~

3 Page 4, strike lines 1 through 11 and substitute the following:

4 ~~"vehicle This section shall not apply to a person who is using the mobile~~
5 ~~communication device: WHILE THE VEHICLE IS IN MOTION.~~

6 ~~(a) To contact a public safety entity;~~

7 ~~(b) While the vehicle is lawfully parked; or~~

8 ~~(c) During an emergency."~~

9 Renumber succeeding subsections accordingly.

10 Page 4, line 12, strike "SUBSECTIONS (2) AND (3)" and substitute
11 "SUBSECTION (2)";

12 line 17, strike "OR (3)";

13 line 20 strike "OR";

14 line 21, strike "(3)";

15 line 25, strike "OR (3)".

16 Page 5, line 1, strike "(e)" and substitute "(d)";

17 strike lines 6 through 24.

18 Renumber succeeding subsections accordingly.

19 Page 6, line 27, strike "(5)" and substitute "(4)".

20 Page 7, line 1, strike "(5)" and substitute "(4)".

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