

Oklahoma Cell Phone Law

Oklahoma 2010 Update

Governor Henry Signs Distracted Driving Bill into Law

Governor Henry has signed House Bill 2276 into law. While not specifically a **Cell Phone** or Text Messaging law it addresses distracted driving as follows:

"The operator of every vehicle, while driving, shall devote their full time and attention to such driving."

"No law enforcement officer shall issue a citation under this section unless the law enforcement officer observes that the operator of the vehicle is involved in an accident or observes the operator of the vehicle driving in such a manner that poses an articulable danger to other persons on the roadway that is not otherwise specified in statute."

In other words a driver will not be pulled over and ticketed for Cell Phone use or Text Messaging unless the officer observes that the driver is posing a safety threat to others.

The new act goes into effect November 1st, 2010. To read the new law please go to the [Oklahoma Distracted Driving Law](#)

Other Oklahoma Legislation

Oklahoma - Senate Bill 1908 has recently been approved by the House Public Safety Committee.

If the bill were to be passed into law in it's current form, it would prohibit the reading, writing and sending of text messages while driving. Specifically:

"Distracted driving" means inattentive driving of any vehicle being operated in violation of any provisions of this title, or any other law regulating the operation of a vehicle, that is caused by reading, writing, performing personal grooming, interacting with pets or unsecured cargo, using a personal communication device, or engaging in any other activity which causes distractions"

The fine for this offense would be \$100 plus court fees not to exceed \$35. Under the current text this would be a secondary offense, meaning that a driver would have to be violating a primary offense such as speeding or reckless driving to be ticketed for text messaging or cell phone use while driving.

Oklahoma House Bill 3250 - Prohibiting Use Of Certain Devices By Operators Of Motor Vehicles

3/10/10

Oklahoma House Bill 3250 has been approved by the Senate and now moves to the House.

(Introduced Version) The measure prohibits any person from using a cellular phone or electronic communication device while operating a motor vehicle unless the person is using a hands-free device.

Provides exceptions.

Punishment is a misdemeanor punishable by a \$1,000 fine. Allows municipalities to enact and enforce ordinances not more stringent than this Act.

The proposed committee substitute for HB3250 adds a driving restriction to learner permittees; prohibits learner permittees and intermediate Class D licensees from using a hand-held mobile telephone for non-emergency purposes while operating a motor vehicle; and prohibits the use of a hand-held mobile telephone to write, send, or read a text message while operating a motor vehicle in motion.

The penalty is a fine and court costs up to \$1,000.

Text Messaging News

On January 21st, 2010 Governor Henry signed an executive order prohibiting text messaging by employees that drive state vehicles.

Governor Henry indicated he wants to serve as a model for all Oklahoma drivers.

Oklahoma currently has several distracted driving bills that will be making their way through the legislative process in 2010.