

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1683

By: Representative McNair

For An Act To Be Entitled

AN ACT CONCERNING RADIO COMMUNICATIONS IN THE CONTEXT OF OPERATING SCHOOL BUSES AND OTHER MOTOR VEHICLES; TO EXCLUDE FROM THE DEFINITIONS OF "CELLULAR TELEPHONE", "WIRELESS TELECOMMUNICATIONS DEVICE", AND "HANDHELD WIRELESS TELEPHONE" CERTAIN DEVICES; AND FOR OTHER PURPOSES.

Subtitle

TO EXCLUDE FROM THE DEFINITIONS OF "CELLULAR TELEPHONE", "WIRELESS TELECOMMUNICATIONS DEVICE", AND "HANDHELD WIRELESS TELEPHONE" CERTAIN DEVICES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-19-120(a)(1)(B), concerning the definition of a "cellular telephone" with respect to the operation of a school bus, is amended to read as follows:

(B) Does not include a citizens band radio, ~~or a citizens band radio hybrid,~~ or any device with push-to-talk capabilities used in a similar manner as a citizens band radio or a citizens band radio hybrid; and

SECTION 2. Arkansas Code § 6-19-120, concerning the punishment for a violation of the prohibition on the use of a cellular telephone while operating a school bus, is amended to add an additional subsection to read as follows:

(e) Except as otherwise provided under law, a person operating a



school bus may use two-way radio communications device or any device used in a similar manner as two-way radio communications device as a means of communicating with:

- (1) Central dispatch; or
- (2) The school transportation or its equivalent.

SECTION 3. Arkansas Code § 27-51-1503(2)(B)(iii), concerning what a "wireless telecommunications device" does not include with respect to operating a motor vehicle, is amended to read as follows:

(iii) Commercial two-way radio communication device or any device with push-to-talk capabilities used in a similar manner as a citizens band radio or a citizens band radio hybrid;

SECTION 4. Arkansas Code § 27-51-1602(2)(B), concerning what a "handheld wireless telephone" does not include with respect to operating a motor vehicle, is amended to read as follows:

(B) "Handheld wireless telephone" does not include a:

- (i) Hands-free wireless telephone or device;
- (ii) Citizens band radio;
- (iii) Citizens band radio hybrid; ~~or~~
- (iv) Device with push-to-talk capabilities used in a similar manner as a citizens band radio or a citizens band radio hybrid; or
- ~~(iv)~~(v) Global positioning or navigation device or system;

APPROVED: 3/27/19