

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1949

02/25/2014 Authored by Sawatzky

The bill was read for the first time and referred to the Committee on Transportation Policy

1.1 A bill for an act
1.2 relating to public safety; traffic regulations; prohibiting use of cellular phones in
1.3 work zones; amending Minnesota Statutes 2012, section 169.475, subdivision 1,
1.4 by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 169.475, subdivision 1, is amended to read:

1.7 Subdivision 1. ~~Definition~~ **Definitions.** (a) For purposes of this section, the following
1.8 terms have the meaning given them.

1.9 (b) "Electronic message" means a self-contained piece of digital communication that
1.10 is designed or intended to be transmitted between physical devices. An electronic message
1.11 includes, but is not limited to, e-mail, a text message, an instant message, a command or
1.12 request to access a World Wide Web page, or other data that uses a commonly recognized
1.13 electronic communications protocol. An electronic message does not include voice or
1.14 other data transmitted as a result of making a phone call, or data transmitted automatically
1.15 by a wireless communications device without direct initiation by a person.

1.16 (c) "Work zone" means a segment of street or highway for which:

1.17 (1) a road authority or its agent is constructing, reconstructing, or maintaining the
1.18 physical structure of the roadway, which may include but is not limited to shoulders,
1.19 features adjacent to the roadway, and utilities and highway appurtenances, whether
1.20 underground or overhead; and

1.21 (2) any of the following applies:

1.22 (i) official traffic-control devices that indicate the segment of street or highway under
1.23 construction, reconstruction, or maintenance, are erected;

1.24 (ii) one or more lanes of traffic are closed;

- 2.1 (iii) a flagger under section 169.06, subdivision 4, paragraph (e), is present;
2.2 (iv) a temporary speed limit in a construction zone under section 169.14, subdivision
2.3 4, is established; or
2.4 (v) a work zone speed limit under section 169.14, subdivision 5d, is in effect.

2.5 Sec. 2. Minnesota Statutes 2012, section 169.475, is amended by adding a subdivision
2.6 to read:

2.7 Subd. 2a. **Prohibition on use; work zones.** Notwithstanding subdivision 3, clauses
2.8 (1) and (2), no person may operate a motor vehicle while using a cellular phone, whether
2.9 handheld or hands-free, when the vehicle is (i) in motion or a part of traffic, and (ii) in
2.10 a work zone.

2.11 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to
2.12 offenses committed on or after that date.