

Subd. 2. **Prohibition on use; penalty.** (a) ~~No~~ When a motor vehicle is in motion or a part of traffic, the person may operate a motor operating the vehicle while is prohibited from using:

(1) a wireless communications device to initiate, compose, read, or send an electronic message, when the vehicle is in motion or a part of traffic; or

(2) a cellular phone, including but not limited to initiating a cellular phone call and talking or listening on the phone.

(b) A person who violates paragraph (a) a second or subsequent time must pay a fine of \$225, plus the amount specified in the uniform fine schedule established by the Judicial Council.

Subd. 3. **Exceptions.** (a) This section does not apply if a wireless communications device is used:

(1) solely in a voice-activated or other hands-free mode, whether through a device feature or in conjunction with a headset or other accessories;

(2) for making to make a cellular phone call through use of one-touch functionality;

(3) for obtaining to obtain emergency assistance to (i) report a traffic accident, medical emergency, or serious traffic hazard, or (ii) prevent a crime about to be committed;

(4) in the reasonable belief that a person's life or safety is in immediate danger; or

(5) in an authorized emergency vehicle while in the performance of official duties.

(b) This section does not apply to a device that is able to function solely as a global positioning system or navigation system.