

SENATE BILL 173

By Swann

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 10 and Title 55, Chapter 8, relative to traffic safety.

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

SECTION 1. Tennessee Code Annotated, Section 55-8-207, is amended by deleting subsection (b) and substituting instead the following:

(b)

(1) It is an offense for a person to knowingly operate a motor vehicle on any road or highway in this state and talk on a handheld mobile telephone while the vehicle is in motion.

(2) It is an offense for a person under eighteen (18) years of age to knowingly operate a motor vehicle on any road or highway in this state and talk on a mobile telephone while the vehicle is in motion, regardless of whether a hands-free device is used.

(3) This section does not prohibit a person eighteen (18) years of age or older from operating a motor vehicle on any road or highway in this state and using a hands-free device to talk on a mobile telephone while the vehicle is in motion.

SECTION 2. Tennessee Code Annotated, Section 55-8-207, is amended by deleting subsections (d), (e), and (f) in their entirety and substituting instead the following:

(d) A violation of subdivision (b)(1) or (b)(2) is a Class C misdemeanor punishable only by a fine not to exceed one hundred dollars (\$100); except, that if the violation results in an accident the fine shall not exceed two hundred dollars (\$200).

(e) Any person violating subdivision (b)(1) or (b)(2) is subject to the imposition of court costs not to exceed fifty dollars (\$50.00). No statutory fees of officers or state or local litigation taxes are applicable to a case prosecuted under this section.

(f) A traffic citation that is based solely upon a violation of this section is considered a moving traffic violation.

SECTION 3. This act shall take effect January 1, 2020, the public welfare requiring it.