

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2263 _____
 _____ Of the printed Bill
 Page _____ Section _____ Lines _____
 _____ Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Nicole Miller

Adopted: _____

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 PROPOSED POLICY
4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2263

By: Miller

7 PROPOSED POLICY COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; defining terms;
9 making certain use of cellular telephones and
10 electronic devices unlawful on certain stretches of
11 road; creating penalty for violation; making certain
12 exceptions; authorizing municipalities to enact
13 certain ordinances; providing details for certain
14 ordinances; requiring the Department of Public Safety
15 not assess certain points for violations; prohibiting
16 confiscation of certain devices and information;
17 making certain exceptions; providing for
18 codification; and providing an effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 11-901e of Title 47, unless
19 there is created a duplication in numbering, reads as follows:

20 A. For the purpose of this section:

21 1. "Cellular telephone" means an analog or digital wireless
22 telephone authorized by the Federal Communications Commission to
23 operate in the frequency bandwidth reserved for cellular telephones;

24 2. "Compose", "send" or "read" with respect to a text message

1 means the manual entry, sending or retrieval of a text message to
2 communicate with any person or device;

3 3. "Electronic communication device" means an electronic device
4 that permits the user to manually transmit a communication of
5 written text by means other than through an oral transfer or wire
6 communication. This term does not include:

- 7 a. a device that is physically or electronically
8 integrated into a motor vehicle,
- 9 b. a voice-operated global positioning or navigation
10 system that is affixed to a motor vehicle,
- 11 c. a hands-free or voice-operated device that allows the
12 user to write, send or read a text message without the
13 use of either hand except to activate, deactivate or
14 initiate a feature or function,
- 15 d. an ignition interlock device that has been installed
16 on a motor vehicle, or
- 17 e. amateur radio use or operation; and

18 4. "Text message" includes a text-based message, instant
19 message, electronic message, photo, video or electronic mail.

20 B. Where any portion of a road, street, or highway is a
21 properly marked school zone, as indicated with appropriate warning
22 signs placed in accordance with the latest edition of the Manual on
23 Uniform Traffic Control Devices, and a reduced speed limit is
24 properly posted that is in effect during certain times due to the

1 presence or potential presence of school children, or in a road
2 construction zone where workers are present, and while a motor
3 vehicle is in motion, it shall be unlawful for any person to operate
4 a motor vehicle on any street or highway within this state while:

5 1. Using a hand-held electronic communication device or
6 cellular telephone to manually compose, send or read an electronic
7 text message; or

8 2. Holding or using a hand-held cellular telephone.

9 C. Any person who violates the provisions of subsection B of
10 this section shall, upon conviction, be punished by a fine of not
11 more than One Hundred Dollars (\$100.00).

12 D. The provisions of subsection B of this section shall not
13 apply if the person is using the cellular telephone or electronic
14 communication device:

15 1. In conjunction with hands-free or voice-operated technology;
16 or

17 2. For the sole purpose of communicating with any of the
18 following regarding an imminent emergency situation:

- 19 a. an emergency response operator,
 - 20 b. a hospital, physician's office or health clinic,
 - 21 c. a provider of ambulance services,
 - 22 d. a provider of firefighting services, or
 - 23 e. a law enforcement agency.
- 24

1 E. Municipalities may enact and municipal police officers may
2 enforce ordinances prohibiting and penalizing conduct under the
3 provisions of this section. The provisions of such ordinances shall
4 be the same as provided for in this section; the enforcement
5 provisions of those ordinances shall not be more stringent than
6 those of this section; and the total fine and court costs for
7 municipal ordinance violations shall not exceed One Hundred Dollars
8 (\$100.00).

9 F. The Department of Public Safety shall not record or assess
10 points for violations of this section on any license holder's
11 traffic record maintained by Service Oklahoma.

12 G. A law enforcement officer shall not, without the consent of
13 the person:

14 1. Confiscate a cellular telephone or electronic communication
15 device for the purpose of determining compliance with this section;

16 2. Confiscate a cellular telephone or electronic communication
17 device and retain it as evidence pending trial for a violation of
18 this section; or

19 3. Extract or otherwise download information from a cellular
20 telephone or electronic communication device for a violation of this
21 section unless:

22 a. the law enforcement officer has probable cause to
23 believe that the cellular telephone or electronic
24

1 communication device has been used in the commission
2 of a crime,

3 b. the information is extracted or otherwise downloaded
4 under a valid search warrant, or

5 c. otherwise authorized by law.

6 SECTION 2. This act shall become effective July 1, 2026.

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8 60-1-12405 JBH 02/05/25
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