

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 2263

By: Miller and Luttrell of the
House

6 and

7 Gollihare of the Senate

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10 COMMITTEE SUBSTITUTE

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

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

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

A. For the purpose of this section:

1. "Cellular telephone" means an analog or digital wireless

1 telephone authorized by the Federal Communications Commission to
2 operate in the frequency bandwidth reserved for cellular telephones;

3 2. "Compose", "send" or "read" with respect to a text message
4 means the manual entry, sending or retrieval of a text message to
5 communicate with any person or device;

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

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

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

23 B. Where any portion of a road, street, or highway is a
24 properly marked school zone, as indicated with appropriate warning

1 signs placed in accordance with the latest edition of the Manual on
2 Uniform Traffic Control Devices, and a reduced speed limit is
3 properly posted that is in effect during certain times due to the
4 presence or potential presence of school children, or in a road
5 construction zone, and while a motor vehicle is in motion, it shall
6 be unlawful for any person to operate a motor vehicle on any street
7 or highway within this state while:

8 1. Using a hand-held electronic communication device or
9 cellular telephone to manually compose, send or read an electronic
10 text message; or

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

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

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

18 1. In conjunction with hands-free or voice-operated technology;
19 or

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

- 22 a. an emergency response operator,
- 23 b. a hospital, physician's office or health clinic,
- 24 c. a provider of ambulance services,

- d. a provider of firefighting services, or
- e. a law enforcement agency.

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

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

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

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

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

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

- 1 a. the law enforcement officer has probable cause to
2 believe that the cellular telephone or electronic
3 communication device has been used in the commission
4 of a crime,
5 b. the information is extracted or otherwise downloaded
6 under a valid search warrant, or
7 c. otherwise authorized by law.

8 SECTION 2. This act shall become effective November 1, 2025.

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