



SPONSOR: Rep. Scott & Rep. D.P. Williams & Sen. Peterson
Reps. Kowalko, Mitchell; Sen. Sokola

HOUSE OF REPRESENTATIVES
145th GENERAL ASSEMBLY

HOUSE BILL NO. 229

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

1 Section 1. Amend Title 21 of the Delaware Code by adding a new §4176C to read as follows:

2 “§ 4176C. Cell phones; penalties.

3 (a) No driver shall operate a motor vehicle on any highway while using a cell telephone while such vehicle is in
4 motion; provided, that this section shall not apply to law enforcement officers and emergency personnel in the performance
5 of their duties and any person operating a school bus transporting 1 or more children.

6 (b) For the purposes of this section, "cell telephone" means a cellular, analog, wireless or digital telephone.

7 (c) Whoever violates this section shall for the 1st offense be fined not less than \$50 nor more than \$100. For each
8 subsequent offense the person shall be fined not less than \$100 nor more than \$200.

9 (d) It is an affirmative defense to prosecution under this section that the driver's use of a cell telephone was
10 necessitated by an emergency.”.

SYNOPSIS

This bill prohibits the use of cell phones while operating a motor vehicle on the highways of the State of Delaware.