

**SUBSTITUTE FOR
HOUSE BILL NO. 4181**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 602c (MCL 257.602c), as added by 2012 PA 592.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 602c. (1) Except as provided in this section, **AND IN**
2 **ADDITION TO THE REQUIREMENTS OF SECTION 602B**, an individual issued
3 a level 1 or level 2 graduated license under section 310e **OR AN**
4 **INDIVIDUAL WHO IS UNDER THE AGE OF 18** shall not use a cellular
5 telephone while operating a motor vehicle upon a highway or street.
6 For purposes of this subsection, "use" means to initiate a call;
7 answer a call; or listen to or engage in verbal communication
8 through the cellular telephone.

9 (2) Subsection (1) does not apply to an individual who is
10 using a cellular telephone to do any of the following:

1 (a) Report a traffic accident, medical emergency, or serious
2 road hazard.

3 (b) Report a situation in which the person believes his or her
4 personal safety is in jeopardy.

5 (c) Report or avert the perpetration or potential perpetration
6 of a criminal act against the individual or another person.

7 ~~(3) Subsection (1) does not apply to an individual using a~~
8 ~~voice-operated system that is integrated into the motor vehicle.~~

9 (3) ~~(4)~~—An individual who violates this section is responsible
10 for a civil infraction.

11 (4) ~~(5)~~—This section supersedes all local ordinances
12 regulating the use of a cellular telephone by an individual issued
13 a level 1 or level 2 graduated license **OR WHO IS UNDER THE AGE OF**
14 **18** while operating a motor vehicle in motion on a highway or
15 street, except that a unit of local government may adopt an
16 ordinance or enforce an existing ordinance substantially
17 corresponding to this section.

18 (5) ~~(6)~~—This section shall be known and may be cited as
19 "Kelsey's Law".