

State of Wisconsin



2015 Assembly Bill 198

Date of enactment: **March 30, 2016**

Date of publication*: **March 31, 2016**

2015 WISCONSIN ACT 308

AN ACT *to amend* 346.95 (1); and *to create* 346.89 (4m) of the statutes; **relating to:** the use of a cellular or other wireless telephone while driving a motor vehicle in a construction zone and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 346.89 (4m) of the statutes is created to read:

346.89 (4m) No person may drive, as defined in s. 343.305 (1) (b), any motor vehicle while using a cellular or other wireless telephone, including using the telephone for a purpose other than communication, where persons engaged in work in a highway maintenance or construction area or in a utility work area are at risk from traffic, except to report an emergency. This subsection does not apply to the use of a voice-operated or hands-free device if the driver of the motor vehicle does not use

his or her hands to operate the device, except to activate or deactivate a feature or function of the device.

SECTION 2. 346.95 (1) of the statutes is amended to read:

346.95 (1) Any person violating s. 346.87, 346.88, 346.89 (4), ~~(4m)~~ or (5), 346.90 to 346.92, or 346.94 (1), (9), (10), (11), (12), or (15) may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

SECTION 3. Effective date.

(1) This act takes effect on the first day of the 7th month beginning after publication.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."