**A** **BILL**

TO AMEND ARTICLE 31, CHAPTER 5, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑3890 TO PROVIDE THAT A PERSON UNDER THE AGE OF EIGHTEEN MAY NOT OPERATE A MOTOR VEHICLE WHILE USING A CELL PHONE OR OTHER WIRELESS COMMUNICATIONS DEVICE AND TO PROVIDE FOR PENALTIES AND EXCEPTIONS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 31, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑3890. (A) It is unlawful for a person under the age of eighteen to operate a motor vehicle when the vehicle is in motion while using a cell phone or other wireless communications device.

(B) A person violating this section is guilty of a misdemeanor and, upon conviction, must be fined fifty dollars.

(C) A person is not guilty of a violation of this section if:

(1) the person is using the cell phone or wireless communications device to respond to an emergency that presents an imminent risk of death or serious bodily harm to the person or another; or

(2) the cell phone or wireless communications device is equipped with and operated with a hands‑free mechanism.”

SECTION 2. This act takes effect upon approval by the Governor.

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