**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑3895 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO OPERATE A MOTOR VEHICLE WHILE USING A CELLULAR TELEPHONE, PAGER, PERSONAL DIGITAL ASSISTANT DEVICE, OR ANOTHER WIRELESS COMMUNICATIONS DEVICE THAT IS NOT EQUIPPED WITH A HANDS‑FREE MECHANISM, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

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 56‑5‑3895. (A) Notwithstanding another provision of law, it is unlawful for a person to operate a motor vehicle while using a cellular telephone, pager, personal digital assistant device, or another wireless communications device while the vehicle is in motion.

(B) This section does not apply to a cellular telephone, pager, personal digital assistant device, or another wireless communications device that is equipped with and operated with a hands‑free mechanism.

(C) A person who violates a provision contained in this section is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than thirty days, or fined not more than five hundred dollars, or both.”

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

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