

107TH CONGRESS
1ST SESSION

H. R. 1837

To amend title 23, United States Code, to direct the Secretary of Transportation to withhold highways funds from any State that permits an individual to use a hand-held mobile telephone while operating a motor vehicle.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2001

Mr. ACKERMAN introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to direct the Secretary of Transportation to withhold highways funds from any State that permits an individual to use a hand-held mobile telephone while operating a motor vehicle.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Call Responsibly and
5 Stay Healthy Act 2001”.

1 **SEC. 2. PROHIBITION ON USE OF HAND-HELD MOBILE**
2 **TELEPHONES BY INDIVIDUALS OPERATING**
3 **MOTOR VEHICLES.**

4 (a) IN GENERAL.—Subchapter I of chapter 1 of title
5 23, United States Code, is amended by adding at the end
6 the following:

7 **“§ 165. Prohibition on use of hand-held mobile tele-**
8 **phones by individuals operating motor**
9 **vehicles**

10 “(a) WITHHOLDING OF APPORTIONMENTS FOR NON-
11 COMPLIANCE.—

12 “(1) FISCAL YEAR 2004.—The Secretary shall
13 withhold 5 percent of the amount required to be ap-
14 portioned to any State under each of paragraphs
15 (1), (3), and (4) of section 104(b) on October 1,
16 2003, if the State does not meet the requirement of
17 paragraph (3) on that date.

18 “(2) THEREAFTER.—The Secretary shall with-
19 hold 10 percent of the amount required to be appor-
20 tioned to any State under each of paragraphs (1),
21 (3), and (4) of section 104(b) on October 1, 2004,
22 and on October 1 of each fiscal year thereafter, if
23 the State does not meet the requirement of para-
24 graph (3) on that date.

25 “(3) REQUIREMENT.—

1 “(A) IN GENERAL.—A State meets the re-
2 quirement of this paragraph if the State has
3 enacted and is enforcing a law that makes un-
4 lawful throughout the State the use of a hand-
5 held mobile telephone by an individual who is
6 operating a motor vehicle.

7 “(B) EMERGENCIES.—A State law de-
8 scribed in subparagraph (A) may provide an ex-
9 emption to permit an individual who is oper-
10 ating a motor vehicle to use a hand-held mobile
11 telephone in the case of an emergency.

12 “(C) HANDS-FREE DEVICES.—A State law
13 described in subparagraph (A) may provide an
14 exemption to permit an individual who is oper-
15 ating a motor vehicle to use a hand-held mobile
16 telephone with a device that permits hands-free
17 operation of the telephone.

18 “(b) PERIOD OF AVAILABILITY; EFFECT OF COMPLI-
19 ANCE AND NONCOMPLIANCE.—

20 “(1) PERIOD OF AVAILABILITY OF WITHHELD
21 FUNDS.—

22 “(A) FUNDS WITHHELD ON OR BEFORE
23 SEPTEMBER 30, 2005.—Any funds withheld
24 under subsection (a) from apportionment to any
25 State on or before September 30, 2005, shall

1 remain available until the end of the third fiscal
2 year following the fiscal year for which the
3 funds are authorized to be appropriated.

4 “(B) FUNDS WITHHELD AFTER SEP-
5 TEMBER 30, 2005.—No funds withheld under
6 this section from apportionment to any State
7 after September 30, 2005, shall be available for
8 apportionment to the State.

9 “(2) APPORTIONMENT OF WITHHELD FUNDS
10 AFTER COMPLIANCE.—If, before the last day of the
11 period for which funds withheld under subsection (a)
12 from apportionment are to remain available for ap-
13 portionment to a State under paragraph (1), the
14 State meets the requirement of subsection (a)(3),
15 the Secretary shall, on the first day on which the
16 State meets the requirement, apportion to the State
17 the funds withheld under subsection (a) that remain
18 available for apportionment to the State.

19 “(3) PERIOD OF AVAILABILITY OF SUBSE-
20 QUENTLY APPORTIONED FUNDS.—Any funds appor-
21 tioned pursuant to paragraph (2) shall remain avail-
22 able for expenditure until the end of the third fiscal
23 year following the fiscal year in which the funds are
24 so apportioned. Sums not obligated at the end of
25 that period shall lapse.

“(4) EFFECT OF NONCOMPLIANCE.—If, at the end of the period for which funds withheld under subsection (a) from apportionment are available for apportionment to a State under paragraph (1), the State does not meet the requirement of subsection (a)(3), the funds shall lapse.”.

(b) CONFORMING AMENDMENT.—The analysis for subchapter I of chapter 1 of title 23, United States Code, is amended by adding at the end the following:

“165. Prohibition on use of hand-held mobile telephones by individuals operating motor vehicles.”.

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