

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 397 be amended to read as follows:

- 1 Page 1, between lines 16 and 17, begin a new paragraph and insert:
- 2 "SECTION 2. IC 9-13-2-30.7 IS ADDED TO THE INDIANA
- 3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2005]: **Sec. 30.7. "Commercial mobile radio**
- 5 **service", for purposes of IC 9-21-21-3, has the meaning set forth in**
- 6 **IC 36-8-16.5-5.**
- 7 SECTION 3. IC 9-13-2-103.3 IS ADDED TO THE INDIANA
- 8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 9 [EFFECTIVE JULY 1, 2005]: **Sec. 103.3. "Mobile telephone", for**
- 10 **purposes of IC 9-21-21, has the meaning set forth in IC 9-21-21-1.**
- 11 SECTION 4. IC 9-13-2-161.1 IS ADDED TO THE INDIANA
- 12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 13 [EFFECTIVE JULY 1, 2005]: **Sec. 161.1. "School bus driver" for**
- 14 **purposes of IC 9-21-21, has the meaning set forth in IC 20-27-2-9.**
- 15 SECTION 5. IC 9-13-2-193.5 IS ADDED TO THE INDIANA
- 16 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 17 [EFFECTIVE JULY 1, 2005]: **Sec. 193.5. "Use", for purposes of**
- 18 **IC 9-21-21, has the meaning set forth in IC 9-21-21-2.**
- 19 SECTION 6. IC 9-13-2-199.1 IS ADDED TO THE INDIANA
- 20 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 21 [EFFECTIVE JULY 1, 2005]: **Sec. 199.1. "Wireless telephone**
- 22 **service", for purposes of IC 9-21-21, has the meaning set forth in**
- 23 **IC 9-21-21-3."**
- 24 Page 2, between lines 20 and 21, begin a new paragraph and insert:
- 25 "SECTION 9. IC 9-21-21 IS ADDED TO THE INDIANA CODE

1 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2005]:

3 **Chapter 21. Use of Mobile Telephone by a School Bus Driver**

4 **Sec. 1. As used in this chapter, "mobile telephone" means the**
5 **device used by subscribers of a wireless telephone service to access**
6 **the service.**

7 **Sec. 2. As used in this chapter, "use" means using a mobile**
8 **telephone to place or receive a call.**

9 **Sec. 3. As used in this chapter, "wireless telephone service"**
10 **means two-way real time voice telecommunications service that is**
11 **interconnected to a public switched telephone network and is**
12 **provided by a commercial mobile radio service.**

13 **Sec. 4. (a) A school bus driver who;**
14 **(1) operates a school bus when transporting children; and**
15 **(2) simultaneously uses a mobile telephone;**
16 **commits a Class D infraction.**

17 **(b) Subsection (a) does not apply if the mobile telephone is used**
18 **when there is a threat to the safety or security of persons or**
19 **property to transmit an emergency call (as defined in**
20 **IC 35-45-2-3(c))."**

21 Renumber all SECTIONS consecutively.
(Reference is to ESB 397 as printed March 22, 2005.)

Representative Mays