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2013 Mississippi Code
Title 63 - MOTOR VEHICLES AND
TRAFFIC REGULATIONS
Chapter 1 - DRIVER'S LICENSE
Article 1 - DRIVER'S LICENSE
§ 63-1-73 - Use of wireless
communication device by person
authorized to drive under
intermediate license or temporary
learning or driving permit while
vehicle in motion or by person
operating a passenger bus with minor
passenger on bus prohibited;
exceptions; penalties

Universal Citation: MS Code § 63-1-73 (2013)

(1) For purposes of this section, the following terms shall have the meanings ascribed in this subsection, unless the context clearly indicates otherwise:

(a) "Cellular telephone" means an analog or digital wireless telephone authorized by the Federal Communications Commission to operate in the frequency bandwidth reserved for cellular radiophones.

(b) "Personal digital assistant" means a wireless electronic communication device that provides for data communication other than by voice.

(c) The term "E911" shall have the meaning ascribed in Section 19-5-303.

(d) "Wireless communication device" means a device that uses a commercial mobile service, as defined by 47 USC Section 332, including a cellular telephone or personal digital assistant.

(2) (a) A person who is authorized to drive under an intermediate license, a temporary learning permit or a temporary driving permit shall not operate a motor vehicle on a highway while using a wireless communication device to send or receive a written message while the motor vehicle is in motion.

(b) A person shall not use a wireless communication device while operating a passenger bus with a minor passenger on the bus, except for an emergency or in the case of a school bus driver for official school business or in an emergency.

(3) This section does not apply to any of the following:

(a) Law enforcement and safety personnel;

(b) Drivers of authorized emergency vehicles;

(c) A person who is reporting reckless or negligent behavior;

(d) A person who believes that the person or another person is in physical danger;

(e) Written messages sent or received while the vehicle is parked;

(f) The use of a wireless communication device for the sole purpose of communicating with any of the following regarding an emergency situation:

(i) An emergency response or E911 operator;

(ii) A hospital, physician's office or health clinic;

(iii) A provider of ambulance services;

(iv) A provider of fire fighting services;

(v) A law enforcement agency;

(g) The use of technology utilizing a cellular connection to a vehicle to relay vehicle operational information between the vehicle and a call center or repair facility; and

(h) A vehicle navigation system utilizing a cellular connection to update databases and provide real-time traffic information.

(4) (a) A violation of this section is a misdemeanor, and upon conviction, is punishable by a fine not to exceed Five Hundred Dollars (\$ 500.00).

(b) If the person violates this section at the time that he is involved in a motor vehicle accident, then the violation is punishable by a fine not to exceed One Thousand Dollars (\$ 1,000.00).

(c) A law enforcement officer investigating a motor vehicle accident in which a person is cited for violating subsection (2)(a) or (b) of this section shall indicate on the written accident report the use of a wireless communication device in violation of this section at the time of the accident.

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