

189.292 Use of personal communication device prohibited while operating motor vehicle in motion on traveled portion of roadway -- Exclusions -- Administrative regulations.

- (1) As used in this section, "personal communication device" means a device capable of two (2) way audio or text communication that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers communication to the possessor, including but not limited to a paging device and a cellular telephone.
- (2) Except as provided in subsection (3) of this section, no person shall, while operating a motor vehicle that is in motion on the traveled portion of a roadway, write, send, or read text-based communication using a personal communication device to manually communicate with any person using text-based communication, including but not limited to communications referred to as a text message, instant message, or electronic mail.
- (3) Subsection (2) of this section shall not apply to:
 - (a) The use of a global positioning system feature of a personal communication device;
 - (b) The use of a global positioning or navigation system that is physically or electronically integrated into the motor vehicle;
 - (c) The reading, selecting, or entering of a telephone number or name in a personal communication device for the purpose of making a phone call;
 - (d) An operator of an emergency or public safety vehicle, when the use of a personal communication device is an essential function of the operator's official duties; or
 - (e) The operator of a motor vehicle who writes a text message on a personal communication device to:
 1. Report illegal activity;
 2. Summon medical help;
 3. Summon a law enforcement or public safety agency; or
 4. Prevent injury to a person or property.
- (4) The secretary of the Transportation Cabinet may promulgate administrative regulations pursuant to KRS Chapter 13A to implement the provisions of this section, including but not limited to updates or advances in the automotive and information technology industries.

Effective: June 8, 2011

History: Amended 2011 Ky. Acts ch. 59, sec. 3, effective June 8, 2011. -- Created 2010 Ky. Acts ch. 110, sec. 2, effective July 15, 2010.