

410.04 CHANGES IN UNIFORM TRAFFIC CODE.

The following Uniform Traffic Code rules are amended and additional rules are added as indicated. Subsequent rule numbers used in this chapter shall refer to the like numbered rules of the Uniform Traffic Code.

Rule 1 Words and Phrases.

As used in this Code:

(1)

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(w) “Distracted Driving” means the following:

1. The physical manipulation of any 2-way wireless electronic communication device used for dialing numbers; or scrolling; or typing or entering multiple letters, numbers, symbols, or other text; or the sending, receiving and reading of any non-voice data in the device while the motor vehicle is in motion on any highway or street or place open to the general public within the City of Battle Creek. As used in this subsection, a wireless 2-way communication device does not include a global positioning or navigating system or cellular telephone that is affixed to the motor vehicle or **Radio Service Equipment used by a Licensee of the Federal Communications Commission;**

and/or

2. The physical manipulation or handling of any wireless entertainment or electronic telephonic communication device for the purpose of speaking into, or listening to voice data, while the motor vehicle is in motion on any highway or street or place open to the general public within the City of Battle Creek.

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Rule 490e. Distracted Driving; Violation is a Civil Infraction.

(1) A person shall not engage in distracted driving within the City of Battle Creek.

(2) A person who violates this rule is responsible for a civil infraction.

(3) Exceptions. This rule does not apply to a person who is using an electronic communication device to do one or more of the following:

a) Report a traffic accident, medical emergency or serious road hazard.

b) Report a situation in which the person believes their personal safety is in jeopardy.

c) Report or avert the perpetration or potential perpetration of a criminal act against the individual or another person.

d) Carry out official duties as a police officer, law enforcement official, member of a paid or volunteer fire department, or operator of an emergency vehicle.

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