

ORDINANCES
MILES CITY, MONTANA

ORDINANCE NO. 1361

AN ORDINANCE ENACTING SECTION 22-152 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY WITH RESPECT TO PROHIBITING THE USE OF ELECTRONIC COMMUNICATION DEVICES WHILE DRIVING.

BE IT ORDAINED, by the City Council of the City of Miles City, Montana, as follows:

Section 1. Sections 22-152 is hereby enacted, as follows:

Sec. 22-152. Electronic Communication Device Usage While Driving Prohibited.

- a. No person operating a motorized vehicle upon a public highway within the city limits of the City of Miles City shall use a mobile telephone to engage a call and/or use any other handheld electronic communication device to compose, send, view, or retrieve email, text message, or other electronic data; with the exception of handsfree devices as defined herein.
- b. "Handheld electronic communication device" includes mobile phones, laptops, tablets, notebook computers, navigational systems, electronic games, and any other similar device.
- c. Exceptions.
- i. This provision shall not apply to any person reporting a health, fire, safety, or police emergency.
- ii. This provision shall not apply to on duty governmental fire agencies, ambulance services, law enforcement agencies, emergency responders, or other "authorized emergency vehicle" as defined in MCA 61-8-102(2)(a) during response to an emergency.
- iii. This provision shall not apply to the use of handsfree devices which allow for voice communication and navigation without the use of hands to manipulate the device for purposes of voice communication or navigation. The use of electronic games, web browsing, text messaging, and any other use of electronic devices other than for voice communication and navigation, with or without handsfree equipment, are prohibited.
- iv. This provision shall not apply to drivers using two-way radios while in the performance of work related duties, or to drivers holding a valid amateur radio operator license issued by the Federal Communications Commission while using a two-way radio.
- d. Violation and Penalty. A person who is found to have committed a violation of this section shall be fined in an amount not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500).

Section 2. This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this 26th day of July, 2022.



John Hollowell, Mayor

ATTEST:



Mary Rowe, City Clerk

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FINALLY PASSED AND ADOPTED this 13th day September, 2022.



John Hollowell, Mayor

ATTEST:


Mary Rowe, City Clerk