

## Chapter 340. Miscellaneous Driving Rules

### Article I. In General

#### Section 340.145. Texting or Use of an Electronic Messaging Device Prohibited While Operating a Motor Vehicle — Persons Over Age Twenty-One (21).

[Ord. No. 3332 §1, 10-20-2014]

- A. Except as otherwise provided in this Section, no person over the age of twenty-one (21) operating a motor vehicle on roads exclusively within the jurisdiction of the City of Lake Saint Louis, Missouri, by means of a hand-held electronic communication device, shall send, read, or write a text message or electronic message.
- B. The provisions of Subsection (A) of this Section shall not apply to a person operating:
  - 1. An authorized emergency vehicle; or
  - 2. A moving motor vehicle while using a hand-held electronic wireless communication device to:
    - a. Report illegal activity;
    - b. Summon medical or emergency help;
    - c. Relay information between a transit or for-hire operator and that operator's dispatcher, in which the device is permanently affixed to the vehicle.
- C. Nothing in this Section shall be construed or interpreted as prohibiting a person from making or taking part in a telephone call, by means of a hand-held electronic wireless device, while operating a motor vehicle on roads exclusively within the jurisdiction of the City.
- D. As used in this Section, "electronic message" means a self-contained piece of digital communication that is designed or intended to be transmitted between hand-held electronic communication devices. Electronic message includes, but is not limited to, electronic mail, a text message, an instant message, or a command or request to access an internet site.
- E. As used in this Section, a "hand-held electronic communication device" includes any hand-held cellular phone, palm pilot, BlackBerry®, or other mobile electronic device used to communicate verbally or by text or electronic messaging but shall not apply to any device that is permanently imbedded into the architecture and design of the motor vehicle.
- F. As used in this Section, "making or taking a telephone call" means listening to or engaging in a verbal communication through a hand-held electronic communication device.
- G. As used in this Section, "send, read, or write a text message or electronic message" means using a hand-held electronic communication device to manually communicate with any person by using an electronic message. Sending, reading, or writing a text message or electronic message does not include reading, selecting, or entering a phone number or name into a hand-held electronic communication device for the purpose of making a telephone call.
- H. The provisions of this Section shall not apply to:

1. The operator of a vehicle that is lawfully parked or stopped.
  2. The use of factory-installed or after-market global positioning systems (GPS) or wireless communication devices used to transmit or receive data as part of a digital system.
  3. The use of voice-activated technology.
  4. The use of two-way radio transmitters or receivers by a licensee of the Communications Commission in the Amateur Radio Service.
- I. A violation of this Section shall be deemed an infraction and shall be subject to the penalties provided in this Chapter for moving violations.