

SENATE, No. 1070

STATE OF NEW JERSEY

INTRODUCED MAY 2, 1996

By Senator BAER

1 AN ACT requiring the study of the use of cellular telephones in motor
2 vehicles.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. a. The Commissioner of Insurance, the Highway Traffic Safety
8 Policy Advisory Council and the Division of Highway Safety of the
9 Department of Law and Public Safety shall:

10 (1) collect and evaluate statistics showing whether the use of
11 manually held and manually dialed cellular telephones or certain other
12 cellular telephones by operators of any class of private motor vehicles
13 has increased the incidence of accidents or accidents per mile of
14 similar motor vehicles; and

15 (2) evaluate and advise whether the use, non-use, or extent of use
16 of cellular telephones by motorists should be proposed as a factor in
17 determining: (a) lower premium rates of motor vehicle insurance
18 policies where appropriate; (b) tort liability in motor vehicle accident
19 law suits; (c) safety instructions given to customers by sellers,
20 installers and lessors of cellular telephones; and (d) any other safety
21 proposal on the use of cellular telephones.

22 b. In making this study the commissioner, advisory council and
23 division shall consult with each other and representatives of the motor
24 vehicle insurance industry and cellular telephone industry, consumer
25 and safety groups and such other persons with expertise they deem
26 relevant. The commissioner, advisory council and division shall report
27 their findings, including any suggested legislative proposals, to the
28 Governor and the Legislature on or before the 180th day following the
29 effective date of this act.

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31 2. This act shall take effect immediately.

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STATEMENT

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36 A recent study stated that motorists with cellular telephones in their
37 cars ran a 34% higher risk of having an accident. Currently, one in 10

1 motorists in the United States has a cellular telephone and the number
2 is growing every year.

3 This bill requires the Commissioner of Insurance, the Highway
4 Traffic Safety Policy Advisory Council and the Division of Highway
5 Safety of the Department of Law and Public Safety to study whether
6 the use of cellular telephones by drivers of private motor vehicles is
7 increasing the incidence of motor vehicle accidents in this State and to
8 evaluate and advise whether the use, non-use, or the extent of use of
9 cellular telephones by motorists should be proposed as a factor in
10 determining: lower premium rates of motor vehicle insurance policies
11 where appropriate; tort liability in motor vehicle accident law suits;
12 safety instructions given to customers by sellers, installers and lessors
13 of cellular telephones; and any other safety proposals on the use of
14 cellular telephones in motor vehicles.

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19 Requires study of use of cellular telephones by motorists.