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February 16, 2018

OPINION LETTER NO. 58-2018

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated February 7, 2018, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Steven Reed regarding a proposed constitutional amendment to amend Article IV, Section 48 of the Missouri Constitution (2018-334). The proposed summary statement is as follows:

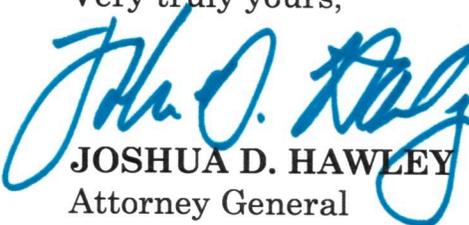
Do you want to amend the Missouri constitution to:

- prohibit operating a motor vehicle while using a handheld wireless communications device to participate in a phone call, send, read, or write a text message or other electronic message, unless the device is equipped with and being used via hands-free technology;
- prohibit operating a commercial motor vehicle while using a handheld mobile phone or using a wireless communications device to send, read, or write a text message or other electronic message; and

- provide the above prohibitions would not apply to authorized emergency vehicles?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



**JOSHUA D. HAWLEY**  
Attorney General