

HB 1302 -- PROHIBITED USE OF HAND-HELD WIRELESS ELECTRONIC DEVICES

SPONSOR: Higdon

This bill prohibits an individual operating a motor vehicle upon the highways of this state from using a hand-held electronic wireless communication device, defined in the bill, while operating such vehicle. Prohibited uses include, but are not limited to, reading, composing, viewing, or posting any electronic message; initiating, receiving, or conducting a conversation; or manually typing data into an electronic wireless communication device. The bill provides exceptions to the prohibition.

The bill does not prohibit an individual operating a noncommercial vehicle from using a hands-free electronic wireless communication device as long as the person is not holding such device in his or her hands. The bill also does not prohibit the use of either hand merely to activate, deactivate, or initiate a function of a hands-free electronic wireless communication device while the individual is operating a noncommercial motor vehicle.

The state preempts the field of regulating the use of hand-held electronic wireless communication devices by motor vehicle operators and the provisions of this bill shall supersede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision to regulate the use of hand-held electronic wireless communication devices.

No person under the age of 18, or with an instruction permit or intermediate license regardless of age, shall use an electronic wireless communications device, whether it's hand-held or hands-free, except to contact emergency services.

The bill specifies penalties for various violations of the bill's provisions.