

321.276 Use of electronic device while driving.

1. For purposes of [this section](#):

a. “*Electronic device*” means a device that is powered by electricity, including by a battery, and that is capable of being used to compose, send, receive, or read an electronic message, or that is capable of storing, retrieving on-demand, or displaying videos, movies, broadcast television images, visual images, or audio or video data files. “*Electronic device*” includes but is not limited to a telephone including a cellular telephone, personal digital assistant, portable or mobile computer including a tablet, two-way messaging device, electronic gaming device, and any substantially similar portable device that is used to initiate, store, or receive electronic communication, information, or data. “*Electronic device*” does not include a device that is physically or electronically integrated into a motor vehicle, including but not limited to an integrated global positioning system or navigation system when the destination is entered into such system before the vehicle is in motion.

b. “*Use*” includes but is not limited to holding, viewing, or manipulating an electronic device.

c. “*Voice-activated or hands-free mode*” means an attachment, accessory, application, wireless connection, or built-in feature of an electronic device or motor vehicle that allows a person to use verbal commands or a single touch to activate or deactivate the device or a function or software application of the device. “*Voice-activated or hands-free mode*” does not include accessing nonnavigation video content, engaging in a video call, accessing or engaging in video streaming, accessing gaming data, or reading an electronic message or notification.

2. A person shall not use an electronic device while driving a motor vehicle unless the motor vehicle is at a complete stop off the traveled portion of the roadway, or as far away from the center of the roadway as is practicable if the vehicle cannot be entirely removed from the traveled portion of the roadway.

a. A person does not violate [this section](#) by using an electronic device in a voice-activated or hands-free mode.

b. The provisions of [this subsection](#) relating to the use of an electronic device do not apply to the following persons:

(1) A member of a public safety agency, as defined in [section 34.1](#), performing official duties.

(2) A health care professional in the course of an emergency situation.

(3) A person receiving safety-related information including emergency or weather alerts.

(4) A person using an electronic device for the purpose of reporting an emergency situation, including any continued communication with emergency personnel during the emergency situation or public transit personnel responding to a transit-specific situation.

(5) A person operating an implement of husbandry.

(6) A person using a two-way radio transmitter or receiver who is licensed with the federal communications commission in amateur radio service.

(7) A member of a public transit system, as defined in [section 324A.1](#), performing official duties while in a vehicle that is not in motion.

(8) A utility maintenance employee or contractor using an electronic device while in a utility maintenance vehicle, for the purpose of providing utility services including but not limited to cable, electric, natural gas, telephone, telecommunication, water, and wastewater treatment services, provided the employee or contractor is acting within the scope of their employment or agency.

(9) A transportation network company driver, as defined in [section 321N.1](#), while engaged in a prearranged ride, as defined in [section 321N.1](#), provided the vehicle is not in motion.

(10) A person using an electronic device for the purpose of accessing or using a fleet management system.

3. Nothing in [this section](#) shall be construed to authorize a peace officer to confiscate an electronic device from the driver or occupant of a motor vehicle.

4. a. A person convicted of a violation of [this section](#) is guilty of a simple misdemeanor punishable as a scheduled violation under [section 805.8A, subsection 14](#), paragraph “l”.

b. A violation of [this section](#) shall be considered a moving violation for purposes of [this chapter](#) and rules adopted pursuant to [this chapter](#).

c. Notwithstanding paragraphs “a” and “b”, a peace officer shall issue a warning memorandum in lieu of a citation to a person for violating [this section](#). This paragraph is repealed January 1, 2026.

5. The department, in cooperation with the department of public safety, shall establish educational programs to foster compliance with the requirements of [this section](#).

[2010 Acts, ch 1105, §6; 2013 Acts, ch 90, §80; 2017 Acts, ch 75, §1 – 5; 2025 Acts, ch 14, §9, 10](#)

Referred to in [§321.449B, 321.482A, 668.15A, 707.6A, 805.8A\(14\)\(I\)](#)

Additional penalties for violations causing serious injury or death, see [§321.482A](#)

For homicide or serious injury by vehicle involving use of electronic device while driving, see [§707.6A](#)

Subsection 1 stricken and rewritten

Subsections 2, 3, and 4 amended