

House File 2456

H-8328

1 Amend the Senate amendment, H-8251, to House File
2 2456, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by striking lines 3 through 10 and
5 inserting:

6 <___. By striking everything after the enacting
7 clause and inserting:

8 <Section 1. Section 321.178, subsection 2,
9 paragraph a, Code 2009, is amended to read as follows:

10 a. (1) A person between sixteen and eighteen
11 years of age who has completed an approved driver's
12 education course and is not in attendance at school
13 and has not met the requirements described in section
14 299.2, subsection 1, may be issued a restricted license
15 only for travel to and from work or to transport
16 dependents to and from temporary care facilities,
17 if necessary for the person to maintain the person's
18 present employment. The restricted license shall be
19 issued by the department only upon confirmation of the
20 person's employment and need for a restricted license
21 to travel to and from work or to transport dependents
22 to and from temporary care facilities if necessary to
23 maintain the person's employment. The employer shall
24 notify the department if the employment of the person
25 is terminated before the person attains the age of
26 eighteen.

27 (2) A person issued a restricted license under
28 this section shall not use an electronic communication
29 device or an electronic entertainment device while
30 driving a motor vehicle unless the motor vehicle is at
31 a complete stop off the roadway. This subparagraph
32 does not apply to the use of electronic equipment which
33 is permanently installed in the motor vehicle or to a
34 portable device which is operated through permanently
35 installed equipment.

36 Sec. 2. Section 321.180B, Code Supplement 2009, is
37 amended by adding the following new subsection:

38 NEW SUBSECTION. 6A. A person issued an instruction
39 permit or intermediate driver's license under this
40 section shall not use an electronic communication
41 device or an electronic entertainment device while
42 driving a motor vehicle unless the motor vehicle is
43 at a complete stop off the roadway. This subsection
44 does not apply to the use of electronic equipment which
45 is permanently installed in the motor vehicle or to a
46 portable device which is operated through permanently
47 installed equipment.

48 Sec. 3. Section 321.194, subsection 1, Code
49 Supplement 2009, is amended by adding the following new
50 paragraph:

1 NEW PARAGRAPH. *c.* A person issued a driver's
2 license under this section shall not use an electronic
3 communication device or an electronic entertainment
4 device while driving a motor vehicle unless the motor
5 vehicle is at a complete stop off the roadway. This
6 paragraph does not apply to the use of electronic
7 equipment which is permanently installed in the motor
8 vehicle or to a portable device which is operated
9 through permanently installed equipment.

10 Sec. 4. NEW SECTION. 321.238 Use of electronic
11 devices while driving — preemption of local
12 legislation.

13 The provisions of sections 321.178, 321.180B, and
14 321.194 restricting the use of electronic communication
15 devices and electronic entertainment devices by certain
16 motor vehicle operators shall be implemented uniformly
17 throughout the state. Such provisions shall preempt
18 any county or municipal ordinance regarding the use
19 of an electronic communication device or electronic
20 entertainment device by a motor vehicle operator. In
21 addition, a county or municipality shall not adopt
22 or continue in effect an ordinance regarding the use
23 of an electronic communication device or electronic
24 entertainment device by a motor vehicle operator.>

25 2. Title page, lines 2 and 3, by striking <driving,
26 including prohibiting a person from writing or sending
27 a text message while>

28 3. Title page, line 4, by striking <providing
29 penalties> and inserting <making penalties applicable>

30 4. By renumbering as necessary.

RAECKER of Polk