

House Amendment to  
Senate Amendment to  
House File 2456

S-5200

1 Amend the amendment, H-8251, to House File 2456,  
2 as amended, passed, and reprinted by the House, as  
3 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  
31 at a complete stop off the traveled portion of the  
32 roadway. This subparagraph does not apply to the use  
33 of electronic equipment which is permanently installed  
34 in the motor vehicle or to a portable device which is  
35 operated through permanently 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 traveled portion of the  
44 roadway. This subsection does not apply to the use of  
45 electronic equipment which is permanently installed  
46 in the motor vehicle or to a portable device which is  
47 operated through permanently 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 traveled portion  
6 of the roadway. This paragraph does not apply to  
7 the use of electronic equipment which is permanently  
8 installed in the motor vehicle or to a portable  
9 device which is operated through permanently installed  
10 equipment.

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

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

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

29        \_\_\_\_\_. Title page, line 4, by striking <providing  
30 penalties> and inserting <making penalties applicable>

31        \_\_\_\_\_. By renumbering as necessary.>