



END OF SESSION – SF 234 – TEXTING WHILE DRIVING AS PRIMARY OFFENSE

Description. [Senate File 234](#) prohibits drivers from using an electronic communication device to text or view digital media while operating a motor vehicle unless the motor vehicle is at a complete stop off the traveled portion of the road. The Act amends Iowa Code section [321.276](#) to change the use of an electronic communication device while driving from a secondary offense to a primary offense. This Act allows for a law enforcement officer to pull over a driver exclusively for violation of this provision. A person found in violation of this statute is subject to a scheduled fine of \$30.

Minority Impact. The minority impact of SF 234 is unknown. Under current law, Caucasians received 76.0% of citations, African Americans received 2.5%, Latinos 2.0%, Asians 2.0%, and 17.4% were unknown.

Fiscal Impact. It is estimated that SF 234 will increase revenue to the State General Fund, the Victim Compensation Fund, and local jurisdictions. Revenue from the fines levied, court costs, and a portion of the surcharge will go to the General Fund. The table below provides a breakdown of the estimated fiscal impact of SF 234 by fund.

Senate File 234 Estimated Revenue Increases		
General Fund	FY 2018	FY 2019
Penalty Revenue	\$ 28,293	\$ 56,610
Surcharge Revenue	9,902	19,813
Court Costs	56,586	113,219
Subtotal	\$ 94,781	\$ 189,643
Other		
Victim Comp. Fund	\$ 1,599	\$ 3,200
Local Jurisdiction	495	991
Grand Total	\$ 96,875	\$ 193,834

Enactment Date. The Act was approved by the General Assembly on April 10, 2017, and signed by the Governor on April 17, 2017.

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