

House File 565 - Introduced

HOUSE FILE _____
BY MAY

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act prohibiting the use of a mobile or cellular telephone by
2 the driver of a school bus, and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2692HH 82
5 dea/es/88

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1 1 Section 1. NEW SECTION. 321.375A OPERATION OF SCHOOL BUS
1 2 WHILE USING CELLULAR PHONE PROHIBITED.
1 3 1. The driver of a school bus shall not use a mobile or
1 4 cellular telephone while the school bus is in motion. This
1 5 section does not apply to use of a mobile or cellular
1 6 telephone in any of the following circumstances:
1 7 a. In an emergency situation, to call 911 or another
1 8 public emergency telephone number for police, fire, or rescue
1 9 service.
1 10 b. To report a mechanical problem that impairs the safe
1 11 operation of the school bus.
1 12 c. When the driver of the school bus is not transporting
1 13 passengers.
1 14 d. When the school bus is stopped off the traveled portion
1 15 of the highway.
1 16 2. For purposes of this section, a mobile or cellular
1 17 telephone is a long-range, portable electronic device used for
1 18 personal telecommunications.
1 19 3. A violation of this section is a simple misdemeanor
1 20 punishable as a scheduled violation under section 805.8A,
1 21 subsection 10, paragraph "a".
1 22 Sec. 2. Section 805.8A, subsection 10, paragraph a, Code
1 23 2007, is amended to read as follows:
1 24 a. For violations by an operator of a school bus under
1 25 ~~sections section 321.285, and section 321.372~~, subsections 1
1 26 and 2, and section 321.375A, the scheduled fine is thirty-five
1 27 dollars. However, an excessive speed violation by a school
1 28 bus of more than ten miles per hour in excess of the limit is
1 29 not a scheduled violation.

EXPLANATION

1 31 This bill prohibits the driver of a school bus from using a
1 32 mobile or cellular telephone while operating a school bus.
1 33 The bill defines mobile or cellular telephone as a long-range,
1 34 portable electronic device used for personal
1 35 telecommunications. The bill provides exceptions to allow a
2 1 school bus driver to communicate in emergency situations and
2 2 to report safety-related mechanical problems. The prohibition
2 3 does not apply when the driver is not transporting passengers
2 4 or when the bus is stopped off the traveled portion of the
2 5 highway. The penalty for a violation under the bill is a
2 6 simple misdemeanor punishable by a scheduled fine of \$35.
2 7 LSB 2692HH 82
2 8 dea:rj/es/88