

House File 2243 - Introduced

HOUSE FILE 2243
BY MASCHER

A BILL FOR

1 An Act restricting the use of wireless communication devices
2 while operating a motor vehicle on a highway and providing
3 a penalty.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 321.276 Use of wireless
2 communication devices.

3 1. For purposes of this section, unless the context
4 otherwise requires:

5 a. "Engage in a call" means talking or listening on a
6 wireless communication device.

7 b. "Text message" means a text-based message, instant
8 message, electronic message, or electronic mail message.

9 c. "Wireless communication device" means a mobile telephone
10 or other telecommunications device capable of being used to
11 engage in a call or write, send, or read a text message.

12 d. The terms "write", "send", and "read", with respect to a
13 text message, mean the manual entry, sending, and retrieval of
14 a text message, respectively, to communicate with any person
15 or device.

16 2. a. A person shall not use a wireless communication
17 device to engage in a call while operating a motor vehicle on a
18 highway unless the motor vehicle is at a complete stop off the
19 roadway.

20 b. This subsection does not apply to a member of a public
21 safety agency, as defined in section 34.1, using a wireless
22 communication device to engage in a call in the performance of
23 official duties.

24 c. This subsection does not apply to the use of a wireless
25 communication device to call 911.

26 3. A person shall not write, send, or read a text message
27 while operating a motor vehicle on a highway unless the motor
28 vehicle is at a complete stop off the roadway.

29 4. A person convicted of a violation of this section commits
30 a simple misdemeanor punishable as a scheduled violation under
31 section 805.8A, subsection 6, paragraph "e".

32 Sec. 2. Section 805.8A, subsection 6, Code Supplement 2009,
33 is amended by adding the following new paragraph:

34 NEW PARAGRAPH. e. For violations under section 321.276, the
35 scheduled fine is thirty dollars.

EXPLANATION

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2 This bill addresses the use of wireless communication
3 devices by motor vehicle operators.

4 The bill defines "wireless communication device" to include
5 a mobile telephone or other telecommunications device capable
6 of being used to engage in a call or write, send, or read a text
7 message. "Text message" is defined to include a text-based
8 message, instant message, electronic message, and electronic
9 mail message.

10 The bill prohibits a person from using a wireless
11 communication device to engage in a call while operating a
12 motor vehicle on a highway, unless the motor vehicle is at a
13 complete stop off the roadway. The bill makes an exception
14 for a member of a public safety agency using a wireless
15 communication device to engage in a call in the performance of
16 official duties. The bill also allows the use of a wireless
17 communication device to call 911.

18 The bill prohibits a person from using a wireless
19 communication device to write, send, or read a text message
20 while operating a motor vehicle on a highway, unless the motor
21 vehicle is at a complete stop off the roadway.

22 A violation under the bill is a simple misdemeanor
23 punishable by a scheduled fine of \$30.