

House File 9 - Introduced

HOUSE FILE _____
BY ABDUL-SAMAD

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

A BILL FOR

1 An Act relating to the use of cellular telephones and other
2 wireless communication devices by motor vehicle operators and
3 providing a penalty.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1178HH 83
6 dea/nh/5

PAG LIN

1 1 Section 1. NEW SECTION. 321.363A USE OF WIRELESS
1 2 COMMUNICATION DEVICES RESTRICTED.
1 3 1. A person shall not operate or use a cellular telephone
1 4 or other wireless communication device while operating a motor
1 5 vehicle on a street or highway, as defined in section 321.1,
1 6 subsection 78, unless the person uses a headset or hands-free
1 7 adapter to operate or use the telephone or communication
1 8 device.
1 9 2. This section does not apply to the use of a handheld
1 10 cellular telephone or other handheld wireless communication
1 11 device to call 911 or to contact law enforcement authorities
1 12 or an emergency response agency in an emergency situation.
1 13 3. This section does not apply when the motor vehicle is
1 14 at a complete stop off the roadway.
1 15 4. A person who violates this section commits a simple
1 16 misdemeanor, punishable as a scheduled violation under section
1 17 805.8A, subsection 6, paragraph "e".
1 18 Sec. 2. Section 805.8A, subsection 6, Code 2009, is
1 19 amended by adding the following new paragraph:
1 20 NEW PARAGRAPH. e. For violations under section 321.363A,
1 21 the scheduled fine is thirty dollars.

EXPLANATION

1 23 This bill prohibits the driver of a motor vehicle from
1 24 operating or using a cellular telephone or other wireless
1 25 communication device without using a headset or hands-free
1 26 adapter while operating a motor vehicle on a street or
1 27 highway. An exception is allowed for emergency situations
1 28 when the use of a handheld phone or device is to call 911 or
1 29 contact law enforcement authorities or an emergency response
1 30 agency. The bill does not prohibit a driver from using any
1 31 cellular telephone or other wireless communication device when
1 32 the motor vehicle is at a complete stop off the roadway.
1 33 The bill establishes a scheduled fine of \$30 as the penalty
1 34 for a violation.
1 35 LSB 1178HH 83
2 1 dea/nh/5.1