

Senate File 190 - Introduced

SENATE FILE _____
BY BOLKCOM

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

A BILL FOR

1 An Act prohibiting the use of handheld cellular telephones and
2 other wireless communication devices by motor vehicle
3 operators and providing a penalty.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2340SS 83
6 dea/nh/5

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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 unless the person uses a
1 6 headset or hands-free adapter to operate or use the telephone
1 7 or communication device.
1 8 a. This subsection does not apply to the use of a handheld
1 9 cellular telephone or other handheld wireless communication
1 10 device to call 911 or to contact law enforcement authorities
1 11 or an emergency response agency in an emergency situation.
1 12 b. This subsection does not apply when the motor vehicle
1 13 is at a complete stop off the roadway.
1 14 c. This subsection does not apply to the use of an amateur
1 15 radio by a federally licensed amateur radio operator.
1 16 2. A person who violates subsection 1 commits a simple
1 17 misdemeanor, punishable as a scheduled violation under section
1 18 805.8A, subsection 6, paragraph "e".
1 19 Sec. 2. Section 805.8A, subsection 6, Code 2009, is
1 20 amended by adding the following new paragraph:
1 21 NEW PARAGRAPH. e. For violations under section 321.363A,
1 22 the scheduled fine is thirty dollars.
1 23 EXPLANATION
1 24 This bill prohibits the driver of a motor vehicle from
1 25 operating or using a cellular telephone or other wireless
1 26 communication device without using a headset or hands-free
1 27 adapter while operating a motor vehicle on a street or
1 28 highway. An exception is allowed for emergency situations
1 29 when the use of a handheld phone or device is to call 911 or
1 30 contact law enforcement authorities or an emergency response
1 31 agency. In addition, federally licensed amateur radio
1 32 operators are exempt when operating an amateur radio. The
1 33 bill does not prohibit a driver from using any cellular
1 34 telephone or other wireless communication device when the
1 35 motor vehicle is at a complete stop off the roadway.
2 1 The bill establishes a scheduled fine of \$30 as the penalty
2 2 for a violation.
2 3 LSB 2340SS 83
2 4 dea/nh/5