

1 (c) "Social networking site" means any web-based service that allows
2 individuals to construct a profile within a founded system and communi-
3 cate with other users of the site.

4 (2) Except as provided in this subsection, a person shall not operate a
5 motor vehicle while using a mobile electronic device. The provisions of this
6 subsection shall not apply to:

7 (a) A law enforcement officer, firefighter, emergency medical techni-
8 cian, paramedic, operator of an authorized emergency vehicle or sim-
9 ilarly engaged paid or volunteer public safety first responder during
10 the performance of that person's official duties, and a public utility
11 employee or contractor acting within the scope of that person's employ-
12 ment when responding to a public utility emergency;

13 (b) The use of a mobile electronic device for emergency purposes, in-
14 cluding a text messaging device to contact a 9-1-1 system, an emergency
15 call to a law enforcement agency, health care provider, fire department
16 or other emergency services agency or entity; reporting to appropriate
17 authorities a fire, traffic accident, serious road hazard or medical or
18 hazardous materials emergency; reporting the operator of another motor
19 vehicle who is driving in a reckless or otherwise unsafe manner or who
20 appears to be driving under the influence of alcohol or drugs; or re-
21 porting a crime;

22 (c) The use of a global positioning or navigation system feature of a
23 mobile electronic device, provided that the operator of the vehicle is
24 not manually entering information into the global positioning or navi-
25 gation system feature of the device;

26 (d) Reading, selecting or entering a telephone number or name in a mo-
27 bile electronic device for the purpose of making or receiving a tele-
28 phone call or if a person otherwise activates or deactivates a feature
29 or function of a mobile electronic device; or

30 (e) The use of a mobile electronic device in a voice-operated or hands-
31 free mode if the operator of the motor vehicle does not use his hands to
32 operate the device, except to activate or deactivate a feature or func-
33 tion of the device.

34 (3) No person shall operate a motor vehicle while wearing headphones or
35 earphones in both ears simultaneously for the purposes of listening to mu-
36 sic, video or other sound broadcasts.

37 (4) No person shall access, read or post to a social networking site
38 while operating a motor vehicle.

39 (5) No person shall operate a school bus that is transporting one (1) or
40 more children while using a mobile electronic device, except for emergency
41 purposes as provided in subsection (2) (b) of this section.

42 (6) No person under twenty-one (21) years of age or a person with a
43 learner's permit or restricted or provisional license shall operate a motor
44 vehicle while using a mobile electronic device, except for emergency pur-
45 poses as provided in subsection (2) (b) of this section.

46 (7) A violation of this section shall be a moving violation and shall
47 be an infraction punished by a fine of one hundred dollars (\$100). For each
48 subsequent offense, the offender shall be punished by a fine of two hundred
49 fifty dollars (\$250).

DRAFT

DRRCB112

1 (8) If a person is involved in an accident at the time of the violation
2 of this section, the fine shall be double the amount of the fine imposed under
3 subsection (7) of this section, and the law enforcement officer investigat-
4 ing the accident shall indicate in any written accident report that the per-
5 son was using a mobile electronic device at the time of the accident.

6 (9) A court may suspend a person's driver's license for up to ninety
7 (90) days if the person has three (3) or more convictions for violations of
8 this section within a three (3) year period.

9 (10) A law enforcement officer enforcing the provisions of this section
10 may treat a violation of this section as the primary or sole reason for issu-
11 ing a citation to a driver.

12 (11) A law enforcement officer shall not search or request to search a
13 motor vehicle, driver or passenger in a motor vehicle solely because of a vi-
14 olation of the provisions of this section.