

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 15-0782.01 Jerry Barry x4341

HOUSE BILL 15-1207

HOUSE SPONSORSHIP

Melton, Ginal, Kraft-Tharp, Lebsock, Salazar

SENATE SPONSORSHIP

Todd,

House Committees
Transportation & Energy

Senate Committees
Transportation

A BILL FOR AN ACT

101 **CONCERNING THE USE OF EARPHONES WHILE DRIVING.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Current law prohibits the use of earphones when driving. The bill exempts from the definition of "earphones" a headset that covers only one ear and that is used with a hand-held telephone.

1 *Be it enacted by the General Assembly of the State of Colorado:*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
March 11, 2015

SENATE
2nd Reading Unamended
March 10, 2015

HOUSE
3rd Reading Unamended
February 20, 2015

HOUSE
Amended 2nd Reading
February 19, 2015

1 **SECTION 1.** In Colorado Revised Statutes, 42-4-1411, **amend**
2 (1) (b); and **add** (3) as follows:

3 **42-4-1411. Use of earphones while driving.** (1) (b) For purposes
4 of this subsection (1), "earphones" includes any headset, radio, tape
5 player, or other similar device which provides the listener with radio
6 programs, music, or other recorded information through a device attached
7 to the head and which covers all of or a portion of the ears. "Earphones"
8 does not include speakers or other listening devices ~~which~~ **THAT** are built
9 **into protective headgear OR A DEVICE OR PORTION OF A DEVICE THAT**
10 **ONLY COVERS ALL OR A PORTION OF ONE EAR AND THAT IS CONNECTED TO**
11 **A WIRELESS, HAND-HELD TELEPHONE.**

12 (3) **NOTHING IN THIS SECTION AUTHORIZES THE HOLDER OF A**
13 **COMMERCIAL DRIVER'S LICENSE ISSUED PURSUANT TO PART 4 OF ARTICLE**
14 **2 OF THIS TITLE TO ACT IN VIOLATION OF ANY FEDERAL LAW OR**
15 **REGULATION RELATING TO DRIVING A COMMERCIAL VEHICLE.**

16 **SECTION 2. Applicability.** This act applies to offenses
17 committed on or after the effective date of this act.

18 **SECTION 3. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety.