

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 141

BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLES AND RULES OF THE ROAD; AMENDING CHAPTER 6, TITLE
2 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-610, IDAHO CODE, TO
3 PROVIDE THAT NO PERSON OPERATING A MOTOR VEHICLE SHALL USE AN ELECTRONIC
4 DEVICE THAT CAUSES SUCH PERSON TO BE DISTRACTED OR OTHERWISE FAIL TO EX-
5 ERCISE DUE CARE, TO PROVIDE FOR EXCEPTIONS AND TO PROVIDE FOR AN INFRAC-
6 TION AND FIXED PENALTY.
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Chapter 6, Title 49, Idaho Code, be, and the same is
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
11 ignated as Section 49-610, Idaho Code, and to read as follows:

12 49-610. DISTRACTED DRIVING. (1) No person operating a motor vehicle
13 shall use a hand held electronic device that causes such person to be dis-
14 tracted or otherwise fail to exercise due care, as that term is provided for
15 in section 49-615, Idaho Code. This section does not prohibit the use of
16 voice operated or hands free devices that allow the user to review, prepare
17 and transmit a text or voice communication without the use of either hand
18 other than to activate, deactivate or initiate a feature or function or to
19 dial a telephone number.

20 (2) A violation of the provisions of this section shall be an infraction
21 with a fixed penalty of seventy-five dollars (\$75.00).