



2015 SENATE BILL 152

May 14, 2015 – Introduced by Senator HARSDORF, cosponsored by Representatives SPIROS, E. BROOKS, KULP, T. LARSON, PETRYK, EDMING, BERCEAU, GENRICH, KAHL, SUBECK and ZEPNICK. Referred to Committee on Transportation and Veterans Affairs.

1 **AN ACT** *to amend* 346.95 (1); and *to create* 346.89 (7) of the statutes; **relating**
2 **to:** operating a motor vehicle while wearing headphones or earbuds and
3 providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits inattentive driving in the following forms:

1. A person may not drive a motor vehicle while engaged or occupied with an activity that interferes or reasonably appears to interfere with the safe driving of the vehicle.

2. A person may not drive a motor vehicle while composing or sending an electronic text message or an electronic mail message, subject to limited exceptions.

3. A person holding a probationary license or instruction permit may not drive a motor vehicle while using a cellular or other wireless telephone, except to report an emergency.

4. A person may not drive a vehicle while operating or while in a position to directly observe an electronic device within the vehicle that is providing entertainment through primarily visual means. This prohibition does not apply to certain vehicles and certain devices.

Any person who is convicted of a violation described in item 1. or 2., above, may be required to forfeit not less than \$20 nor more than \$400, and any person who is convicted of a violation described in item 3. or 4., above, may be required to forfeit not less than \$20 nor more than \$40 for a first offense and not less than \$50 nor more than \$100 for a second or subsequent offense within one year.

