

Senator Stephen H. Urquhart proposes the following substitute bill:

**DISTRACTED DRIVER AMENDMENTS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephen H. Urquhart**

House Sponsor: Don L. Ipson

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**LONG TITLE**

**General Description:**

This bill modifies the Traffic Code by amending handheld wireless communication device provisions.

**Highlighted Provisions:**

This bill:

- ▶ amends and repeals definitions;
- ▶ amends the list of activities taking place within a vehicle during a moving traffic violation that constitute careless driving;
- ▶ amends the devices that are included as examples of a handheld wireless communication device;
- ▶ amends the exceptions to the prohibition on using a handheld wireless communication device; ~~§~~ → [and]

**▶ amends the penalties for violating the prohibition on using a handheld wireless communication device while operating a moving motor vehicle; and** ~~←§~~

- ▶ makes technical corrections.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



88 ~~[(b) when using a handheld wireless communication device for global positioning or~~  
89 ~~navigation services;]~~

90 (a) when using a handheld communication device for voice communication;

91 (b) to view a global positioning or navigation device or ~~§~~→ a global positioning or  
91a navigation ~~←~~§ application;

92 (c) during a medical emergency;

93 (d) when reporting a safety hazard or requesting assistance relating to a safety hazard;

94 (e) when reporting criminal activity or requesting assistance relating to a criminal  
95 activity;

96 ~~[(f) when providing roadside or medical assistance;]~~

97 ~~[(g)]~~ (f) when used by a law enforcement officer or emergency service personnel acting  
98 within the course and scope of the law enforcement officer's or emergency service personnel's  
99 employment; or

100 ~~[(h)]~~ (g) to operate:

101 (i) hands-free or voice operated technology; or

102 (ii) a system that is physically or electronically integrated into the motor vehicle.

103 (4) A person convicted of a violation of this section is guilty of a:

104 (a) class C misdemeanor with a maximum fine of \$100; or

105 (b) class B misdemeanor if the person:

106 (i) has also inflicted serious bodily injury upon another as a proximate result of using a

107 handheld wireless communication device ~~§~~→ ~~[for text messaging or electronic mail communication]~~

107a in violation of this section ~~←~~§

108 while operating a moving motor vehicle on a highway in this state; or

109 (ii) has a prior conviction under this section, that is within three years of:

110 (A) the current conviction under this section; or

111 (B) the commission of the offense upon which the current conviction is based.