

26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **41-6a-1715**, as last amended by Laws of Utah 2014, Chapter 416

30 **41-6a-1716**, as last amended by Laws of Utah 2014, Chapter 416

31

32 *Be it enacted by the Legislature of the state of Utah:*

33 Section 1. Section **41-6a-1715** is amended to read:

34 **41-6a-1715. Careless driving defined and prohibited.**

34a **Ĥ→ (1) As used in this section, "hands-free talking and listening features":**

34b **(a) means technology that enables the use of a wireless telephone or other electronic**
 34c **device without use of either hand by employing an internal feature of, or an attachment to, the**
 34d **device; and**

34e **(b) includes technology that requires the use of either hand to activate, deactivate, or**
 34f **initiate a function of the wireless telephone or other electronic device.**

35 ~~[(†)]~~ **(2) ←Ĥ** A person operating a motor vehicle is guilty of careless driving if the person:

36 (a) commits two or more moving traffic violations under this chapter in a series of acts
 37 within a single continuous period of driving covering three miles or less in total distance; or

38 (b) commits a moving traffic violation under this chapter other than a moving traffic
 39 violation under Part 6, Speed Restrictions, while being **Ĥ→ [purposefully] ←Ĥ** distracted by one or
 39a more
 40 activities taking place within the vehicle that are not related to the operation of a motor vehicle,
 41 including:

42 **(i) Ĥ→ [using] holding ←Ĥ a wireless telephone or other electronic device unless the**
 42a **person is using**
 43 **hands-free talking and listening features while operating the motor vehicle;**

44 ~~[(†)]~~ **(ii)** searching for an item in the vehicle; or
 45 ~~[(†)]~~ **(iii)** attending to personal hygiene or grooming.

46 **Ĥ→ [(‡)] (3) ←Ĥ** A violation of this section is a class C misdemeanor.

47 **Ĥ→ [(‡)] (4) ←Ĥ** In addition to the penalty provided under this section or any other section,
 47a a judge
 48 may order the revocation of the convicted person's driver license if the violation causes or
 49 results in the death of another person in accordance with Subsection 53-3-218(6).

50 Section 2. Section **41-6a-1716** is amended to read:

51 **41-6a-1716. Prohibition on using a handheld wireless communication device**
 52 **while operating a moving motor vehicle -- Exceptions -- Penalties.**

53 (1) As used in this section~~[(†)(a)]~~, "handheld wireless communication device" means a
 54 handheld, portable device used for the wireless transfer of information ~~[without the use of~~
 55 ~~electrical conductors or wires]~~ through manual or voice input.

56 ~~[(b) "Handheld wireless communication device" includes a:]~~