

JAN 1 0 2006
TRANSPORTATION

HOUSE FILE 2033
BY SWAIM

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the use of a cellular telephone by a motor
2 vehicle operator with an instruction permit or intermediate
3 driver's license issued under the graduated driver licensing
4 program and making penalties applicable.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

HF 2033

1 Section 1. Section 321.180B, Code 2005, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 2A. CELL PHONE USE RESTRICTED. A person
4 who has been issued an instruction permit or an intermediate
5 driver's license under this section shall not operate or
6 utilize a handheld cellular telephone, or other handheld
7 device used for remote two-way communication, while operating
8 a motor vehicle on a highway. This subsection does not apply
9 when the motor vehicle is at a complete stop off the roadway
10 or when a cellular telephone or other handheld communication
11 device is used to call 9-1-1 or to contact law enforcement
12 authorities or an emergency response agency in an emergency
13 situation.

14 EXPLANATION

15 This bill prohibits a motor vehicle operator with an
16 instruction permit or intermediate license issued under the
17 graduated driver licensing program from using a handheld
18 cellular telephone or other handheld two-way communication
19 device while driving. Exceptions are allowed for 911 calls
20 and calls to law enforcement authorities or emergency response
21 agencies in an emergency situation. In addition, the bill
22 does not prohibit the use of a cell phone when the motor
23 vehicle is at a complete stop off the roadway.

24 A violation of graduated driver licensing provisions is a
25 simple misdemeanor, punishable by a scheduled fine of \$30. In
26 addition, a person 17 years of age must be conviction-free for
27 12 months to qualify for a full driver's license.

28
29
30
31
32
33
34
35