

IN THE SENATE

SENATE BILL NO. 1274

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO TEXTING AND DRIVING; AMENDING CHAPTER 14, TITLE 49, IDAHO CODE,
2 BY THE ADDITION OF A NEW SECTION 49-1401A, IDAHO CODE, TO DEFINE A TERM
3 AND TO PROVIDE INFRACTION PENALTIES FOR TEXTING WHILE DRIVING WITH EX-
4 CEPTIONS.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 14, Title 49, Idaho Code, be, and the same is
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
9 ignated as Section 49-1401A, Idaho Code, and to read as follows:

10 49-1401A. TEXTING WHILE DRIVING. (1) As used in this section, "tex-
11 ting" means engaging in the review of, or manual preparation and transmis-
12 sion of, written communications via handheld wireless devices, except that
13 texting by persons driving law enforcement, fire or emergency medical vehi-
14 cles shall be exempt while engaging in the course and scope of their duties.
15 This definition does not include voice-operated or hands free devices that
16 allow the user to review, prepare and transmit a text message without the use
17 of either hand except to activate, deactivate or initiate a feature or func-
18 tion.

19 (2) Texting, as that term is defined in subsection (1) of this section,
20 while driving a moving motor vehicle shall constitute an infraction provided
21 this does not apply to voice-operated or hands free devices that allow the
22 user to review, prepare and transmit a text message without the use of either
23 hand except to activate, deactivate or initiate a feature or function. Every
24 person who violates this section shall be guilty of an infraction.