

HB 1487 -- OFFENSE OF DISTRACTED DRIVING

SPONSOR: Porter

This bill creates the traffic offense of distracted driving, which involves operating a commercial or noncommercial motor vehicle or school bus while using an electronic wireless communication device, unless it is being used for navigation purposes. Other exceptions to this prohibition are detailed in the bill.

The state preempts the field of regulating the use of hand-held electronic wireless communication devices by the operators of motor vehicles, and this section supersedes any enacted local laws, ordinances, orders, rules, or regulations.

Beginning January 1, 2024, a violation of this offense will be an infraction and a moving violation for purposes of point assessment, as detailed in the bill. If violation of this offense includes property damage or harm or death to a person, it will be a misdemeanor or felony.

Any person who is stopped by a peace officer for violation of this section must be advised that the person can refuse access to the device and the device cannot be confiscated without a warrant.

Prior to January 2, 2024, a peace officer can only issue a warning for a violation of this section.