

1 H.487

2 Introduced by Representative Wizowaty of Burlington

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; handheld portable electronic devices; prohibition;

6 exceptions

7 Statement of purpose: This bill proposes to:

8 (1) prohibit handheld use of portable electronic devices by motor vehicle
9 operators on highways with speed limits of 35 miles per hour or less, subject to
10 certain exceptions; and

11 (2) prohibit motorcycle operators from using portable electronic devices
12 while in motion on a highway, subject to an exception for emergency 911 calls.

13 An act relating to restricting the use of portable electronic devices by motor
14 vehicle operators

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. 23 V.S.A. § 1095a is amended to read:

17 § 1095a. ~~JUNIOR OPERATOR~~ USE OF PORTABLE ELECTRONIC

18 DEVICES RESTRICTED

19 (a) Use by certain operators prohibited; exception for 911 calls.

1 (1) A person under 18 years of age shall not use ~~any~~ a portable
2 electronic device as defined in subdivision 4(82) of this title while operating a
3 moving motor vehicle on a highway.

4 (2) A person shall not use a portable electronic device while operating a
5 moving motorcycle on a highway.

6 (3) ~~This prohibition~~ The prohibitions set forth in subdivisions (1) and (2)
7 of this subsection shall not apply if it is necessary to place an emergency 911
8 call.

9 (b) Handheld use by all users prohibited on certain highways; exceptions.

10 (1) For the purposes of this subsection, “hands-free use” refers to the use
11 of a portable electronic device without use of either hand, by employing an
12 internal feature or function of, or an attachment or addition to, the device.

13 (2) A person shall not use a portable electronic device while operating a
14 moving motor vehicle on a highway with a maximum speed limit of 35 miles
15 per hour or less. This prohibition shall not apply to:

16 (A) hands-free use;

17 (B) an emergency 911 call placed under emergency circumstances;

18 (C) use of a global positioning or navigation system; or

19 (D) use by the following persons for the purpose of and during the
20 course of performing their official duties:

21 (i) law enforcement officers;

1 (ii) firefighters or medical responders;

2 (iii) operators of authorized emergency vehicles as defined in

3 section 4 of this title; and

4 (iv) state or municipal employees or their contractors actively

5 engaged in road maintenance activities.

6 Sec. 2. EDUCATIONAL CAMPAIGN

7 The commissioner of motor vehicles, in consultation with the commissioner

8 of education, shall formulate a plan to educate operators regarding the

9 prohibitions on the use of portable electronic devices by persons under age 18

10 and by motorcycle operators, and on the handheld use of portable electronic

11 devices by motor vehicle operators on highways with maximum speed limits of

12 35 miles per hour or less.

13 Sec. 3. EFFECTIVE DATE

14 This act shall take effect on July 1, 2012.