SENATE COMMITTEE OF REFERENCE REPORT

February 11, 2020
Chair of Committee
Date

Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

SB20-065 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 4, strike lines 4 through 6 and substitute:

"(II) "MOBILE ELECTRONIC DEVICE" DOES NOT INCLUDE:
(A) AN APPROVED IGNITION INTERLOCK DEVICE, AS DEFINED IN SECTION 42-2-132.5;
(B) A MEDICAL DEVICE; OR
(C) AN ORIGINAL EQUIPMENT SCREEN OR CONTROL USED TO OPERATE A MOBILE ELECTRONIC DEVICE REMOTELY."

Page 4, strike lines 8 through 12 and substitute:

"(I) PHYSICALLY HOLDING OR SUPPORTING A MOBILE ELECTRONIC DEVICE WITH ANY PART OF THE BODY; EXCEPT THAT A PERSON MAY USE AN EARPIECE OR HEADPHONE DEVICE TO CONDUCT A VOICE-BASED COMMUNICATION;
(II) WRITING, SENDING, OR READING ANY TEXT-BASED COMMUNICATION, INCLUDING A TEXT MESSAGE, INSTANT MESSAGE, E-MAIL, OR INTERNET DATA ON A MOBILE ELECTRONIC DEVICE, PROVIDED THAT THIS PROHIBITION DOES NOT APPLY TO:
(A) A VOICE-BASED COMMUNICATION THAT IS AUTOMATICALLY CONVERTED BY THE MOBILE ELECTRONIC DEVICE TO BE SENT AS A MESSAGE IN WRITTEN FORM; OR
(B) THE USE OF A MOBILE ELECTRONIC DEVICE FOR NAVIGATION OF A MOTOR VEHICLE OR FOR GLOBAL POSITIONING SYSTEM PURPOSES; OR
(III) Watching a video or movie on a mobile electronic device other than watching data related to the navigation of the motor vehicle."

Page 4, after line 24 insert:

"(IV) When the mobile electronic device is a two-way radio used by a professional acting within the scope of the professional's employment if the use of the two-way radio is required by the professional's employer and necessary for the performance of the professional's duties;"

Renumber succeeding subparagraphs accordingly.

Page 5 strike line 27 and substitute:

"(8) This section does not apply to a person operating a commercial vehicle with a commercial driver's license.".

Page 6, strike lines 1 and 2.

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