

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

February 11, 2020

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:

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

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

8 Page 4, strike lines 8 through 12 and substitute:

9 "(I) PHYSICALLY HOLDING OR SUPPORTING A MOBILE ELECTRONIC
10 DEVICE WITH ANY PART OF THE BODY; EXCEPT THAT A PERSON MAY USE
11 AN EARPIECE OR HEADPHONE DEVICE TO CONDUCT A VOICE-BASED
12 COMMUNICATION;
13 (II) WRITING, SENDING, OR READING ANY TEXT-BASED
14 COMMUNICATION, INCLUDING A TEXT MESSAGE, INSTANT MESSAGE,
15 E-MAIL, OR INTERNET DATA ON A MOBILE ELECTRONIC DEVICE, PROVIDED
16 THAT THIS PROHIBITION DOES NOT APPLY TO:
17 (A) A VOICE-BASED COMMUNICATION THAT IS AUTOMATICALLY
18 CONVERTED BY THE MOBILE ELECTRONIC DEVICE TO BE SENT AS A
19 MESSAGE IN WRITTEN FORM; OR
20 (B) THE USE OF A MOBILE ELECTRONIC DEVICE FOR NAVIGATION
21 OF A MOTOR VEHICLE OR FOR GLOBAL POSITIONING SYSTEM PURPOSES; OR

1 (III) WATCHING A VIDEO OR MOVIE ON A MOBILE ELECTRONIC
2 DEVICE OTHER THAN WATCHING DATA RELATED TO THE NAVIGATION OF
3 THE MOTOR VEHICLE."

4 Page 4, after line 24 insert:

5 "(IV) WHEN THE MOBILE ELECTRONIC DEVICE IS A TWO-WAY
6 RADIO USED BY A PROFESSIONAL ACTING WITHIN THE SCOPE OF THE
7 PROFESSIONAL'S EMPLOYMENT IF THE USE OF THE TWO-WAY RADIO IS
8 REQUIRED BY THE PROFESSIONAL'S EMPLOYER AND NECESSARY FOR THE
9 PERFORMANCE OF THE PROFESSIONAL'S DUTIES;".

10 Renumber succeeding subparagraphs accordingly.

11 Page 5 strike line 27 and substitute:

12 "(8) THIS SECTION DOES NOT APPLY TO A PERSON OPERATING A
13 COMMERCIAL VEHICLE WITH A COMMERCIAL DRIVER'S LICENSE."

14 Page 6, strike lines 1 and 2.

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