

IN THE SENATE

SENATE BILL NO. 1274

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO TEXTING AND DRIVING; AMENDING CHAPTER 14, TITLE 49, IDAHO CODE,
BY THE ADDITION OF A NEW SECTION 49-1401A, IDAHO CODE, TO DEFINE A TERM
AND TO PROVIDE INFRACTION PENALTIES FOR TEXTING WHILE DRIVING WITH EX-
CEPTIONS.

Be It Enacted by the Legislature of the State of Idaho:

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

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

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