

Adopted Rejected

COMMITTEE REPORT

YES: 8
NO: 3

MR. SPEAKER:

*Your Committee on Public Policy, to which was referred House Bill 1242, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, delete lines 1 through 13, begin a new paragraph and insert:
- 2 "SECTION 1. IC 9-13-2-124.3 IS ADDED TO THE INDIANA
- 3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2009]: **Sec. 124.3. "Personal communication**
- 5 **device", for purposes of IC 9-21-22, has the meaning set forth in**
- 6 **IC 9-21-22-1.**
- 7 SECTION 2. IC 9-13-2-195.2 IS ADDED TO THE INDIANA
- 8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 9 [EFFECTIVE JULY 1, 2009]: **Sec. 195.2. "Using a personal**
- 10 **communication device", for purposes of IC 9-21-22, has the**
- 11 **meaning set forth in IC 9-21-22-2."**
- 12 Page 1, line 17, delete "Mobile Telephones" and insert "**Personal**
- 13 **Communication Devices"**.
- 14 Delete page 2.

- 1 Page 3, delete line 1, begin a new paragraph and insert:
 2 **"Sec. 1. As used in this chapter, "personal communication**
 3 **device" includes the following:**
 4 (1) A device, including a mobile or cellular telephone, used to
 5 access wireless telephone service.
 6 (2) A personal data assistant.
- 7 **Sec. 2. As used in this chapter, "using a personal communication**
 8 **device" includes using a personal communication device to**
 9 **communicate orally or in writing or text.**
- 10 **Sec. 3. (a) This section applies to an individual who holds a**
 11 **probationary license issued under IC 9-24-11-3.**
- 12 **(b) Except as provided in sections 5 and 6 of this chapter, an**
 13 **individual shall not operate a motor vehicle while using a personal**
 14 **communication device.**
- 15 **Sec. 4. (a) This section applies to an individual who holds an**
 16 **operator's license other than a probationary license issued under**
 17 **IC 9-24-11-3.**
- 18 **(b) Except as provided in sections 5 and 6 of this chapter, an**
 19 **individual shall not operate a motor vehicle while using a personal**
 20 **communication device unless:**
 21 (1) the individual uses the personal communication device
 22 only for oral communication; and
 23 (2) the personal communication device:
 24 (A) has an internal feature or function; or
 25 (B) is equipped with an attachment or addition;
 26 by which the individual engages in the oral communication
 27 without the use of either hand. However, the individual may
 28 use the individual's hand or hands to initiate or terminate the
 29 oral communication."
- 30 Page 3, line 2, delete "Sec. 6. Sections 4 and 5" and insert "**Sec. 5.**
 31 **Sections 3 and 4"**.
- 32 Page 3, line 24, delete "Sec. 7. Sections 4 and 5" and insert "**Sec. 6.**
 33 **Sections 3 and 4"**.
- 34 Page 3, line 25, delete "mobile telephone" and insert "**personal**
 35 **communication device"**.
- 36 Page 3, line 27, delete ";" and insert "**or other emergency**
 37 **communication;"**.
- 38 Page 3, line 34, delete "8." and insert "7."

- 1 Page 3, line 34, delete "4 or 5" and insert "**3 or 4**".
- 2 Page 3, line 42, delete "9." and insert "**8.**".
- 3 Page 4, line 22, delete "IC 9-21-22-6 and IC 9-21-22-7," and insert
- 4 "**IC 9-21-22-5 and IC 9-21-22-6**".
- 5 Page 4, line 24, delete "mobile telephone." and insert "**personal**
- 6 **communication device.**".
- 7 Renumber all SECTIONS consecutively.
(Reference is to HB 1242 as introduced.)

and when so amended that said bill do pass.

Representative Van Haften