
SENATE BILL No. 18

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-195.7; IC 9-21-22.

Synopsis: Handheld communication devices while driving. Prohibits an individual who is at least 18 years of age and holds an operator's license (including a probationary license) from using a handheld personal communications device while operating a motor vehicle. Exempts the use of a handheld personal communications device in emergency situations. Makes conforming amendments.

Effective: July 1, 2011.

Holdman

January 5, 2011, read first time and referred to Committee on Public Policy.

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First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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SENATE BILL No. 18



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-177.3, AS ADDED BY P.L.101-2009,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]: Sec. 177.3. "Telecommunications device", for purposes
4 of **IC 9-21-22**, IC 9-24-11-3.3, **and this chapter**, has the meaning set
5 forth in IC 9-24-11-0.5.

6 SECTION 2. IC 9-13-2-195.7 IS ADDED TO THE INDIANA
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2011]: **Sec. 195.7. "Using a**
9 **telecommunications device" has the meaning set forth in**
10 **IC 9-21-22-1.**

11 SECTION 3. IC 9-21-22 IS ADDED TO THE INDIANA CODE AS
12 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 2011]:

14 **Chapter 22. Use of Telecommunications Devices**

15 **Sec. 1. As used in this chapter, "using a telecommunications**
16 **device" means using a telecommunications device to communicate**
17 **orally or in writing or text.**



1 **Sec. 2. (a) This section applies to an individual who:**
2 **(1) is at least eighteen (18) years of age; and**
3 **(2) holds an operator's license, including a probationary**
4 **license issued under IC 9-24-11-3 or IC 9-24-11-3.3.**
5 **(b) Except as provided in sections 3 and 4 of this chapter, an**
6 **individual described in subsection (a) shall not operate a motor**
7 **vehicle while using a telecommunications device unless:**
8 **(1) the individual uses the telecommunications device only for**
9 **oral communication; and**
10 **(2) the telecommunications device:**
11 **(A) has an internal feature or function; or**
12 **(B) is equipped with an attachment or addition;**
13 **by which the individual engages in the oral communication**
14 **without the use of either hand. However, the individual may**
15 **use the individual's hand or hands to initiate or terminate the**
16 **oral communication.**
17 **Sec. 3. Section 2 of this chapter does not apply to an operator of:**
18 **(1) an authorized emergency vehicle;**
19 **(2) a medical services vehicle;**
20 **(3) a privately owned vehicle if:**
21 **(A) the operator or a passenger in the vehicle is a volunteer**
22 **firefighter en route to the scene of a fire or other**
23 **emergency in the line of duty; and**
24 **(B) a blue light is displayed on the vehicle in accordance**
25 **with IC 36-8-12-11; or**
26 **(4) a privately owned vehicle if:**
27 **(A) the operator or a passenger in the vehicle is a certified:**
28 **(i) paramedic;**
29 **(ii) emergency medical technician-intermediate;**
30 **(iii) emergency medical technician-basic advanced;**
31 **(iv) emergency medical technician;**
32 **(v) emergency medical service driver; or**
33 **(vi) emergency medical service first responder;**
34 **en route to the scene of emergency medical service**
35 **activities in the line of duty; and**
36 **(B) a green light is displayed on the vehicle in accordance**
37 **with IC 9-19-14.5-1.**
38 **Sec. 4. Section 2 of this chapter does not apply to an operator of**
39 **a motor vehicle who uses a telecommunications device in an**
40 **emergency situation to:**
41 **(1) transmit an emergency call (as defined in IC 35-45-2-3(c))**
42 **or other emergency communication;**

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- 1 (2) contact a health care provider (as defined in
- 2 IC 16-18-2-163);
- 3 (3) contact the state police department or a police and law
- 4 enforcement system established under IC 36-8-2-2; or
- 5 (4) contact a firefighting and fire prevention system
- 6 established under IC 36-8-2-3.

7 **Sec. 5. An individual who violates section 2 of this chapter**
8 **commits a Class C infraction.**

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