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# A BILL FOR AN ACT

RELATING TO THE STATEWIDE TRAFFIC CODE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 291C, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§291C- Mobile electronic devices; prohibited. (a) No  
5 person shall operate a motor vehicle while using a mobile  
6 electronic device.

7           (b) The use of a mobile electronic device for the sole  
8 purpose of making a "911" emergency communication shall be an  
9 affirmative defense to this section.

10           (c) The following persons shall be exempt from the  
11 provisions of subsection (a):

12           (1) Emergency responders using a mobile electronic device  
13 while in the performance and scope of their official  
14 duties;

15           (2) Drivers using two-way radios while in the performance  
16 and scope of their work-related duties; and



1       (3) Drivers holding a valid amateur radio operator license  
2       issued by the Federal Communications Commission and  
3       using a half-duplex two-way radio.

4       (d) As used in this section:

5       "Emergency responders" include firefighters, emergency  
6       medical technicians, mobile intensive care technicians, civil  
7       defense workers, police officers, and federal and state law  
8       enforcement officers.

9       "Mobile electronic device":

10       (1) Means any handheld or other portable electronic  
11       equipment capable of providing wireless or data  
12       communication between two or more persons, or of  
13       providing amusement, including but not limited to a  
14       cellular phone, text messaging device, paging device,  
15       personal digital assistant, laptop computer, video  
16       game, or digital photographic device.

17       (2) Does not include any audio equipment or any equipment  
18       installed in a motor vehicle for the purpose of  
19       providing navigation, emergency assistance to the  
20       operator of the motor vehicle, or video entertainment  
21       to the passengers in the rear seats of the motor  
22       vehicle.



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1        "Use" or "using" means holding a mobile electronic device  
 2        while operating a motor vehicle."

3        SECTION 2. This Act does not affect rights and duties that  
 4        matured, penalties that were incurred, and proceedings that were  
 5        begun before its effective date.

6        SECTION 3. New statutory material is underscored.

7        SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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**Report Title:**

Statewide Traffic Code; Mobile Electronic Devices

**Description:**

Prohibits drivers from using a mobile electronic device while operating a motor vehicle.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

