
A BILL FOR AN ACT

RELATING TO MOBILE ELECTRONIC DEVICES.

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

1 SECTION 1. Section 291C-137, Hawaii Revised Statutes, is
2 amended by amending subsection (e) to read as follows:

3 "(e) As used in this section:

4 "Emergency responders" includes firefighters, emergency
5 medical technicians, mobile intensive care technicians,
6 emergency management workers, police officers, and federal and
7 state law enforcement officers.

8 "Fleet vehicle" means any vehicle validly registered
9 pursuant to section 286-53.5.

10 "Mobile electronic device" means any handheld or other
11 portable electronic equipment capable of providing wireless or
12 data communication between two or more persons or of providing
13 amusement, including but not limited to a cellular phone, text
14 messaging device, paging device, personal digital assistant,
15 laptop computer, video game, or digital photographic device, but
16 does not include any audio equipment, including handheld or
17 other portable electronic equipment used solely for the purpose



1 of electronically streaming music or other audio broadcasts, or
2 any equipment installed in a motor vehicle for the purpose of
3 providing navigation, emergency assistance to the operator of
4 the motor vehicle, or video entertainment to the passengers in
5 the rear seats of the motor vehicle.

6 "Operate" a motor vehicle means to drive or assume actual
7 physical control of the vehicle upon a public way, street, road,
8 or highway, including operation while temporarily stationary
9 because of traffic, a traffic light, or a stop sign.

10 "Use" or "using" means holding a mobile electronic device
11 while operating a motor vehicle[-]; provided that "use" or
12 "using" shall not include holding a mobile electronic device
13 that is being used for the sole purpose of electronically
14 streaming music or other audio broadcasts transmitted through a
15 wireless or data connection."

16 SECTION 2. This Act does not affect rights and duties that
17 matured, penalties that were incurred, and proceedings that were
18 begun before its effective date.

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on July 1, 2017.

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INTRODUCED BY:

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H.B. NO. 854

Report Title:

Mobile Electronic Devices; Cell Phones; Driving; Streaming Music

Description:

Authorizes drivers to use streaming music services through mobile electronic devices while driving.

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