

## Comparison of Distracted Driving Laws and Legislation

	Current Law	SB 2	HB 2597 (Task Force)
<b>Definition</b>	<b>Mobile Communication Device:</b> Devices used for calling or texting.	<b>Mobile Electronic Device:</b> Device used for texting, calling, entertainment, navigation, internet browsing, email, etc.	Same as SB 2
<b>Hand held</b>	Not Addressed	Holding an electronic device in the person's hand is prohibited. Hands free devices (Bluetooth) are allowed.	Same as SB 2
<b>Exceptions</b>	12 individual exemptions that have been amended into the law over the years.	Eliminates most exemptions, except for summoning emergency help or while operating an emergency vehicle.	Same as SB 2
<b>Violation</b>	Class C traffic violation.	Class A misdemeanor.  If the person has committed at least 3 offenses in the past 10 years: Class C felony.	1st offense: Class B traffic violation.  2nd and subsequent offense, or violation resulting in accident: Class A traffic violation.

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<b>Fines/Sentences</b>	Maximum fine \$500	<p>1st conviction: Minimum or \$1,000.</p> <p>2nd conviction: minimum or \$1,500.</p> <p>3rd and subsequent conviction: Minimum of \$2,000 if there is no prison time.</p> <p>A maximum fine of \$10,000 may be imposed if there is a minor passenger in the vehicle.</p>	Maximum fine of \$2,000
<b>Suspensions</b>	N/A	Fines may not be suspended.	1st offense fine may be suspended upon completion of a distracted driving avoidance course.
<b>Signage</b>	Maximum fine \$500	1 year's imprisonment and up to a \$6,250 fine.	Maximum fine of \$2,000.
<b>Additional Sentencing Guidelines</b>	N/A	Language lifted from DUII laws: Felony conviction will be a category 6 for sentencing guidelines. A person convicted will be required to serve at least 48 hours' imprisonment, or perform community service.	N/A