

HB 1600 -- FAIR FARE PASSENGER SAFETY ACT (Higdon)

COMMITTEE OF ORIGIN: Standing Committee on Crime Prevention and Public Safety

This bill establishes the Fair Fare Passenger Safety Act of 2018, which prohibits any person operating a motor vehicle on the highways or other public roadways of this state for compensation for the transportation of one or more passengers from using a hand-held electronic wireless communications device to read, send, or write a text message or electronic message. The person is also prohibited from making or taking part in a telephone call by means of a hand-held electronic wireless communication device. No person shall be stopped, inspected, or detained solely to determine compliance with these provisions.

The provisions of the bill do not apply to a person operating:

- (1) An authorized emergency vehicle; or
- (2) A moving motor vehicle while using a hand-held device to report illegal activity, summon medical or other emergency help, prevent injury to a person or property, or relay information between a transit or for-hire operator and that operator's dispatcher or incoming passenger, or to engage in a device's directional functionality, if the device is mounted on the windshield, dashboard, or center console of the vehicle in a manner that does not hinder the person's view of the road.

Additional exceptions for parked or stopped vehicles, law enforcement, fire department members, and ambulance drivers are specified in the bill. The use of GPS systems and voice-operated technology to make phone calls is allowed as is the use of radio transmitters by those properly licensed under federal law.

A violation of these provisions must be deemed an infraction and must be deemed a moving violation that is assessed points.

Any city or county must have the authority to adopt ordinances or regulations that are equivalent to, but not more restrictive than, the provisions of the bill.