

HOUSE FILE 2099  
BY HANSON

**A BILL FOR**

1 An Act concerning text messaging and the use of cellular  
2 telephones by motor vehicle operators who are minors and  
3 providing a penalty.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 321.363A Use of cellular telephones  
2 and other devices restricted — young drivers.

3 1. For purposes of this section, the following definitions  
4 apply:

5 a. "*Hands-free mode*" means the use of a cellular telephone  
6 by way of an internal feature or function, or an attachment  
7 or addition, whether or not permanently part of the cellular  
8 telephone, by which the user engages in a conversation or  
9 communication without the use of either hand.

10 b. "*Text message*" means a text-based electronic  
11 communication transmitted using the short message service  
12 (SMS), a wireless telephone service, or an electronic  
13 communication network.

14 c. "*Wireless handset*" means a handheld portable electronic  
15 or computing device capable of transmitting data in the form of  
16 a text message. "*Wireless handset*" includes but is not limited  
17 to a cellular telephone or personal digital assistant.

18 2. A person under eighteen years of age shall not operate  
19 or use a cellular telephone while operating a motor vehicle on  
20 a street or highway unless the cellular telephone is used in  
21 a hands-free mode.

22 3. A person under eighteen years of age shall not use a  
23 wireless handset to write, read, or send a text message while  
24 operating a motor vehicle.

25 4. This section does not apply to any of the following:

26 a. A person under eighteen years of age who possesses a full  
27 driver's license issued under section 321.180B, subsection 4.

28 b. The use of a cellular telephone or wireless handset  
29 to call 911 or to contact law enforcement authorities or an  
30 emergency response agency in an emergency situation.

31 c. The use of a cellular telephone or wireless handset when  
32 the motor vehicle is at a complete stop off the roadway.

33 5. A person who violates this section commits a simple  
34 misdemeanor, punishable as a scheduled violation under section  
35 805.8A, subsection 6, paragraph "e".



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1 license, an instruction permit, an intermediate license, or  
2 a special minor's license may be subject to remedial driver  
3 improvement actions or license sanctions upon conviction for a  
4 moving violation.