

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-0782.01 Jerry Barry x4341

HOUSE BILL 15-1207

HOUSE SPONSORSHIP

Melton, Ginal, Kraft-Tharp, Lebsock, Salazar

SENATE SPONSORSHIP

(None),

House Committees
Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE USE OF EARPHONES WHILE DRIVING.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Current law prohibits the use of earphones when driving. The bill exempts from the definition of "earphones" a headset that covers only one ear and that is used with a hand-held telephone.

1 *Be it enacted by the General Assembly of the State of Colorado:*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 **SECTION 1.** In Colorado Revised Statutes, 42-4-1411, **amend**
2 (1) (b); and **add** (3) as follows:

3 **42-4-1411. Use of earphones while driving.** (1) (b) For purposes
4 of this subsection (1), "earphones" includes any headset, radio, tape
5 player, or other similar device which provides the listener with radio
6 programs, music, or other recorded information through a device attached
7 to the head and which covers all of or a portion of the ears. "Earphones"
8 does not include speakers or other listening devices ~~which~~ THAT are built
9 into protective headgear OR A DEVICE OR PORTION OF A DEVICE THAT ONLY
10 COVERS ALL OR A PORTION OF ONE EAR AND THAT IS CONNECTED TO A
11 WIRELESS, HAND-HELD TELEPHONE.

12 (3) NOTHING IN THIS SECTION AUTHORIZES THE HOLDER OF A
13 COMMERCIAL DRIVER'S LICENSE ISSUED PURSUANT TO PART 4 OF ARTICLE
14 2 OF THIS TITLE TO ACT IN VIOLATION OF ANY FEDERAL LAW OR
15 REGULATION RELATING TO DRIVING A COMMERCIAL VEHICLE.

16 **SECTION 2. Applicability.** This act applies to offenses
17 committed on or after the effective date of this act.

18 **SECTION 3. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety.