

HOUSE BILL NO. 88

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES GATTO AND GRUENBERG

Introduced: 1/16/07

Referred: State Affairs, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to televisions, monitors, portable computers, and similar devices in
2 motor vehicles; and providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 28.35 is amended by adding a new section to read:

5 **Sec. 28.35.161. Driving a motor vehicle with a television, monitor, or**
6 **similar device operating; unlawful installation of television, monitor, or similar**

7 **device.** (a) A person commits the crime of driving with a screen operating if

8 (1) the person is driving the motor vehicle;

9 (2) the vehicle has, temporarily or permanently installed in the vehicle
10 or using power from the vehicle, a television, video monitor, portable computer, or
11 any other similar means to create a visual display visible to the person while the
12 person is driving the motor vehicle; and

13 (3) the monitor or visual display is operating while the person is
14 driving.

1 (b) A person may not install or alter equipment described in (a)(2) of this
2 section that allows the display to be visible to the driver while the vehicle is in motion.

3 (c) Subsections (a) and (b) of this section do not apply to

4 (1) portable cellular telephones;

5 (2) equipment that is displaying only

6 (A) audio equipment information, functions, and controls;

7 (B) vehicle information or controls related to speed, fuel level,
8 battery charge, and other vehicle safety or equipment information;

9 (C) navigation or global positioning;

10 (D) maps;

11 (E) visual information to enhance or supplement the driver's
12 view forward, behind, or to the sides of the motor vehicle for the purpose of
13 maneuvering the vehicle;

14 (F) vehicle dispatching and response information for motor
15 vehicles providing emergency road service or roadside assistance; or

16 (G) vehicle dispatching information for passenger transport or
17 freight or package delivery.

18 (d) Subsections (a) and (b) of this section do not apply to equipment installed
19 in an emergency vehicle. In this subsection, "emergency vehicle" means a police, fire,
20 or emergency medical service vehicle.

21 (e) It is an affirmative defense to a prosecution under (b) of this section that
22 the equipment installed or altered also includes a device that, when the motor vehicle
23 is being driven, disables the equipment for all uses except those described in (c) of this
24 section.

25 (f) A person who violates (a) of this section is guilty of

26 (1) a class A misdemeanor, unless any of the circumstances described
27 in (2) - (4) of this subsection apply;

28 (2) a class C felony if the person's driving causes physical injury to
29 another person;

30 (3) a class B felony if the person's driving causes serious physical
31 injury to another person;

1 (4) a class A felony if the person's driving causes the death of another
2 person.

3 (g) A person who violates (b) of this section is guilty of a class A
4 misdemeanor.

5 * **Sec. 2.** This Act takes effect September 1, 2007.