

# Alaska State Legislature



**Representative Carl Gatto**

**Representative Max Gruenberg**

## Sponsor Statement and Sectional Analysis

### HB 88 – Televisions and Monitors in Motor Vehicles

#### Sponsor Statement

The purpose of the bill is to prevent operators of motor vehicles from watching television, video, and any other programming by making it a crime. Furthermore the bill makes it a crime to install a device capable of being viewed while the vehicle is in operation. This bill is similar, in most respects, to the version of HB 12 that passed the House last year. The changes that were discussed in the Senate State Affairs Committee, when the bill died, are highlighted in the bill and italicized below.

#### Sectional Analysis

Section 1 amends AS 28.35 by adding a new section as follows:

Paragraph (a) sets forth the general rules that a person shall not drive a motor vehicle while watching television or video. The elements of the crime of “driving with a screen operating” are enumerated. *New language is added that includes equipment creating a visual display that is temporarily or permanently installed or is using power from the vehicle.*

Paragraph (b) prohibits installing or altering a video display in a motor vehicle that can be viewed by the driver while the vehicle is moving. This paragraph goes on to provide for specific means of disabling the equipment lawfully.

Paragraph (c) provides specific exemptions to the general rule including cell phones and equipment that is in the nature of aides to navigation or operation. *New language is added that exempts vehicle dispatching and response information for motor vehicles providing emergency road service or roadside assistance, and for vehicle dispatching information for freight or package delivery motor vehicles.*

Paragraph (d) makes it clear that the bill is not intended to cover equipment installed in an emergency vehicle. *New language defines emergency vehicle as a police, fire or*

*emergency medical service vehicle. To close a potential loophole, other motor vehicles providing emergency road service or roadside assistance has been dropped from this paragraph.*

Paragraph (e) establishes an affirmative defense so long as proper equipment is installed.

Paragraph (f) prescribes the types of crimes that a person who is in violation of the law will face under various circumstances including injury and death of another.

A person who violates the law is guilty of a

- 1) class A misdemeanor;
- 2) class C felony if as a result of that violation another person suffers a physical injury;
- 3) class B felony if as a result of that violation another person suffers a serious physical injury;
- 4) class A felony if as a result of that violation another person suffers death.

Paragraph (g) prescribes the crime and punishment of a person who installs equipment in violation of the law.

Section 2 of the bill sets forth an effective date of September 1, 2007.