

House Engrossed Senate Bill

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

CHAPTER 141

SENATE BILL 1067

AN ACT

REPEALING SECTION 28-963, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 3, ARTICLE 16, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 28-963; RELATING TO VEHICLE EQUIPMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Repeal

3 Section 28-963, Arizona Revised Statutes, is repealed.

4 Sec. 2. Title 28, chapter 3, article 16, Arizona Revised Statutes, is
5 amended by adding a new section 28-963, to read:

6 28-963. Image display device; prohibition; definition

7 A. A PERSON SHALL NOT VIEW A BROADCAST TELEVISION IMAGE OR A VISUAL
8 IMAGE FROM AN IMAGE DISPLAY DEVICE WHILE THAT PERSON IS DRIVING A MOTOR
9 VEHICLE AND THE MOTOR VEHICLE IS IN MOTION ON A PUBLIC ROADWAY OR ON AN
10 OFF-HIGHWAY VEHICLE TRAIL AS DEFINED IN SECTION 28-1171.

11 B. A PERSON SHALL NOT OPERATE A MOTOR VEHICLE WITH AN IMAGE DISPLAY
12 DEVICE THAT IS VISIBLE TO A DRIVER SEATED IN A NORMAL DRIVING POSITION WHEN
13 THE VEHICLE IS IN MOTION.

14 C. THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:

15 1. EMERGENCY VEHICLES.

16 2. IMAGE DISPLAY DEVICES THAT DO ANY OF THE FOLLOWING:

17 (a) DISPLAY IMAGES THAT PROVIDE A DRIVER WITH NAVIGATION AND RELATED
18 TRAFFIC, ROAD AND WEATHER INFORMATION.

19 (b) PROVIDE VEHICLE INFORMATION, CONTROLS OR INFORMATION RELATED TO
20 DRIVING A VEHICLE.

21 (c) ENHANCE OR SUPPLEMENT A DRIVER'S VIEW OF THE AREA TO THE FRONT,
22 REAR OR SIDE OF THE VEHICLE.

23 (d) PERMIT A DRIVER TO MONITOR THE VEHICLE OCCUPANTS SEATED BEHIND THE
24 DRIVER.

25 (e) DISPLAY INFORMATION INTENDED TO ENHANCE TRAFFIC SAFETY.

26 3. IMAGE DISPLAY DEVICES THAT ARE BUILT INTO THE MOTOR VEHICLE AND
27 THAT DO NOT DISPLAY IMAGES TO A DRIVER WHILE THE VEHICLE IS IN MOTION.

28 4. IMAGE DISPLAY DEVICES THAT ARE PORTABLE AND ARE NOT USED TO DISPLAY
29 DYNAMIC VISUAL IMAGES OTHER THAN FOR PURPOSES OF NAVIGATION OR GLOBAL
30 POSITIONING TO A DRIVER WHILE THE VEHICLE IS IN MOTION.

31 5. IMAGE DISPLAY DEVICES PRESENT IN VEHICLES OF A PUBLIC SERVICE
32 CORPORATION OR ANY POLITICAL SUBDIVISION OF THIS STATE AND USED FOR SERVICE
33 OR MAINTENANCE OF ITS FACILITIES.

34 6. ANY USE OF AN IMAGE DISPLAY DEVICE WHILE THE VEHICLE IS PARKED.

35 D. FOR THE PURPOSES OF THIS SECTION, "IMAGE DISPLAY DEVICE" MEANS
36 EQUIPMENT CAPABLE OF DISPLAYING TO THE DRIVER OF A MOTOR VEHICLE RAPIDLY
37 CHANGING IMAGES THAT ARE EITHER OF THE FOLLOWING:

38 1. A BROADCAST TELEVISION IMAGE OR SIMILAR ENTERTAINMENT CONTENT
39 TRANSMITTED BY OTHER WIRELESS MEANS TO THE IMAGE DISPLAY DEVICE.

40 2. A DYNAMIC VISUAL IMAGE, OTHER THAN TEXT, FROM A DIGITAL VIDEO DISC
41 OR OTHER STORAGE DEVICE.

APPROVED BY THE GOVERNOR APRIL 23, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 26, 2010.

Passed the House April 8, 2010,

by the following vote: 55 Ayes,

0 Nays, 5 Not Voting

[Signature]

Speaker of the House

[Signature]

Chief Clerk of the House

Passed the Senate March 1, 2010,

by the following vote: 24 Ayes,

5 Nays, 0 Not Voting

1 VACANT
[Signature]

President of the Senate

[Signature]

Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

S.B. 1067

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 19, 20 10

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

19 day of April, 20 10

at 3:00 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 23rd day of

April

at 4:48 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 26th day of April, 20 10

at 12:30 o'clock P. M.

[Signature]
Secretary of State