



FACT SHEET

WYOMING LEGISLATIVE SERVICE OFFICE

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PROPOSED LEGISLATION PROHIBITING WEARABLE ELECTRONIC DEVICES WHILE DRIVING

Several states have proposed bills prohibiting the use of wearable electronic devices such as Google Glass while driving within the 2014 legislative session. Products such as Google Glass are worn on the face using glass frames. They receive voice commands in order to communicate with the internet, and transmit a video display in front of one eye of the user.

Table 1 provides a description of the legislation currently on the docket in several states. The table lists the name of the state and the bill number, as well as the definition regarding wearable electronic devices provided in the legislation, and the proposed penalty.

Table 1. 2014 Proposed Legislation Regarding Wearable Electronic Devices While Driving.

State	Bill Number	Definition	Proposed Penalty
Delaware	HB 155	"Electronic Communication Device" is amended to include, "Wearable computer with a head-mounted display" which is defined as, "...a computing device which is worn on the head and projects visual information into the field of vision of the wearer."	Delaware Statute 4176C(d) states, "Whoever violates this section shall for the first offense be subject to a civil penalty of \$50. For each subsequent offense the person shall be subject to a civil penalty of not less than \$100 nor more than \$200."
Illinois	SB2632	Bill includes the term, "mobile computing headsets" which is defined as, "a computing device with a head mounted display that can project visual information into the field of vision of the wearer."	"A person who violates this Section shall be fined a maximum of \$75 for a first offense, \$100 for a second offense, \$125 for a third offense, and \$150 for a fourth or subsequent offense."
Missouri	HB 1123	Bill refers to the term, "head-mounted optic display" which is defined as, "a display device worn on the head or as part of a helmet that has a small display optic in front of one or each eye."	Penalty upon the first offense is a class B misdemeanor, and the offender's license would be suspended for a period of 30 days with an additional 60 days of restricted driving privileges. A second offense would be considered a Class A Misdemeanor with a penalty of five days imprisonment, probation or parole, and 30 days of community service with

			a license revocation of at least one year. A third offense carries the penalty of a Class D Felony with a minimum of 10 days imprisonment. Additional penalties would include 60 days of community service, and the revocation of driving privileges for 10 years.
New Jersey	A01802	Bill includes the term, "wearable computer with head mounted display" which is defined as, "a computing device which is worn on the head of an individual and projects visual information into the field of vision of the wearer."	"Any person who violates the provisions of the bill is subject to a \$100 fine, but shall not be assessed any motor vehicle points or automobile insurance eligibility points."
New York	A08496	Within the bill the term, "Using" shall mean holding or wearing a portable electronic device while viewing, taking or transmitting images, playing games, or, for the purpose of present or future communication: performing a command or request to access a world wide web page, composing, sending, reading, viewing, accessing, browsing, transmitting, saving or retrieving e-mail, text messages, instant messages, or other electronic data". "Head-Mounted" shall mean wearing a portable electronics device on the head, ears and nose as eyeglasses or eyewear. Common head-mounted portable electronic devices shall include, but not be limited to, google glass and google glasses, and other similar technologies or devices."	Under N.Y. VAT. LAW § 1225-d: NY Code -Section 1225-D: "A violation of this section shall be a traffic infraction and shall be punishable by a fine of not more than one hundred fifty dollars."
West Virginia	HB 3057	The bill refers to the term, "a wearable computer with head mounted display" which is defined as, "a computing device which is worn on the head and projects visual information into the field of vision of the wearer."	First offense would be a fine of \$100; second offense would be a fine of \$200; and for a third or subsequent offense the offender would be fined \$300.
Wyoming	SF0035	Bill includes the term, "a wearable computer with head mounted display" defined as, "a computing device or mobile communication device which is worn on the head and projects visual information into the field of vision of the wearer."	Penalty defined under W.S. 31-5-237(c): "Any person who operates a motor vehicle in violation of this section is guilty of a misdemeanor punishable by a fine of not more than seventy-five dollars (\$75.00)."

Source: National Conference of State Legislatures, and the Delaware, Illinois, Missouri, New Jersey, New York, West Virginia, and Wyoming State Legislature websites.

If you need anything further, please contact LSO Research at 777-7881.