

## Ind. Code § 9-21-8-59

Section 9-21-8-59 - Use of telecommunications device while operating a moving motor vehicle

**(a)** Except as provided in subsections (b) and (c), a person may not hold or use a telecommunications device

while operating a moving motor vehicle.

**(b)** A telecommunications device may be used in conjunction with hands free or voice operated technology.

**(c)** A telecommunications device may be used or held to call 911 to report a bona fide emergency.

**(d)** A police officer may not, without the consent of the person:

**(1)** confiscate a telecommunications device for the purpose of determining compliance with this section;

**(2)** confiscate a telecommunications device and retain it as evidence pending trial for a violation of this section; or

**(3)** extract or otherwise download information from a telecommunications device for a violation of this section unless:

**(A)** the police officer has probable cause to believe that the telecommunications device has been used in the commission of a crime;

**(B)** the information is extracted or otherwise downloaded under a valid search warrant; or

**(C)** otherwise authorized by law.

**(e)** The bureau may not assess points under the point system for a violation of this section occurring before July 1, 2021.

*IC 9-21-8-59*

Amended by P.L. 100-2020, SEC. 3, eff. 7/1/2020.

Amended by P.L. 191-2014, SEC. 1, eff. 7/1/2014.

Added by P.L. 185-2011, SEC. 4, eff. 7/1/2011.

---