



Delaware House of Representatives House Majority Caucus

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BILL ALLOWING TWO-WAY RADIO COMMUNICATION **INTRODUCED IN HOUSE**

HB 493 would exempt two-way radios for business purposes from hands-free legislation

DOVER – Responding to concerns raised by businesses after overwhelming passage of hands-free cell phone legislation, House Majority Leader Rep. Peter C. Schwartzkopf introduced bipartisan legislation on Friday that would allow employees to use two-way radios in their business vehicles to communicate with co-workers or headquarters.

Last week, the House gave final approval to House Substitute 1 for House Bill 229, which requires that motorists use a hands-free device for their cell phones while driving. The bill also prohibits texting and reading and sending e-mail while driving. However, it was determined that the bill also would prohibit the use of two-way radios in all vehicles.

Rep. Schwartzkopf said that the prohibition was an unintended consequence because it would prevent several businesses, such as taxicab, electric and propane delivery companies, from using two-way radios in the course of their normal business. House Bill 493 would exempt a person using a two-way communication device mounted or attached to a motor vehicle during their course of employment with a business or government entity while talking to a central dispatch, base of operation, or with other employees of such business or government entity.

“We became aware of an unintended consequence from the cell phone bill that could negatively affect several businesses,” said Rep. Schwartzkopf, D-Rehoboth Beach. “That was never our intention, and this bill is meant to be business-friendly and address the business community’s concerns. Additionally, I personally don’t view this type of two-way radio communication as the same kind of distraction as a cell phone.”

HB 493 has 19 House co-sponsors, including all the leaders of both House caucuses and six Senate co-sponsors. It has been assigned to the House Public Safety and Homeland Security Committee.

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