

2013 -- S 0275 SUBSTITUTE A

LC00803/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - EQUIPMENT AND ACCESSORIES  
GENERALLY

Introduced By: Senators Sosnowski, Miller, Cool Rumsey, Cote, and Raptakis

Date Introduced: February 12, 2013

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-23-51 of the General Laws in Chapter 31-23 entitled  
2 "Equipment and Accessories Generally" is hereby amended to read as follows:

3 **31-23-51. Earphones and headsets prohibited.** -- (a) ~~A~~ No person shall ~~not drive~~  
4 operate a bicycle or motor vehicle upon any highway while wearing earphones, ~~or~~ a headset,  
5 headphone, or other listening device. Any person who violates this section shall be fined: (1)  
6 eighty-five dollars (\$85.00) for the first offense, (2) ninety-five dollars (\$95.00) for the second  
7 offense, and (3) one hundred forty dollars (\$140) for the third and each subsequent offense.

8 (b) This section shall not apply to:

9 (1) ~~any~~ Any emergency vehicle operator using an integrated intercom system;

10 (2) Any person operating a motorcycle who is using a headset installed in a helmet and  
11 worn so as to prevent the speakers from making direct contact with the user's ears so that the user  
12 can hear surrounding sounds;

13 (3) Any person using a headset in conjunction with a cellular telephone that only provides  
14 sound through one ear and allows surrounding sounds to be heard with the other ear;

15 (4) Any person using a headset in conjunction with the communicating with the central  
16 base operation that only provides sound through one ear and allows surrounding sounds to be  
17 heard with the other ear;

18 (5) Any person using a hearing aid(s) or instrument for the improvement of hearing.

1            [\(c\) The department of motor vehicles shall promulgate rules and regulations necessary to](#)  
2 [implement the provisions of this section.](#)

3            SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would allow the use of hearing aids while operating a bicycle or motorcycle. It  
2 would also permit the operator of a bicycle or motorcycle to use communication equipment that  
3 only provides sound through one ear and allows surrounding sounds to be heard with the other  
4 ear.

5           This act would take effect upon passage.

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