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# MEMORANDUM

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Date: May 9, 2017

To: The Honorable Chair and Members  
Pima County Board of Supervisors

From: C.H. Huckelberry  
County Administrator 

Re: **Ordinance Relating to the Operation of Handheld Electronic Devices while Operating a Motor Vehicle – Clarification Regarding Two-way Radio Use**

The Board of Supervisors has received a number of emails from individuals related to amateur radio operators, HAM radio operators, taxi operators, weather reporters and others, all believing their use of a two-way radio is now outlawed. Such is not the case.

The definition of a hand-held electronic device in the ordinance states, "hand-held electronic device" means a wireless communication device designed to engage in calls or receive and transmit texts, images, messages or data. A two-way radio is a communication device affixed to the vehicle containing a microphone and cord that is also affixed to the radio device. As such, it is not a handheld electronic device; hence, the ordinance does not apply to the use of a two-way radio or any other radio device affixed to the vehicle and is in common use for radio communications.

The recently adopted banned use of hand-held electronic devices while operating a motor vehicle would not apply to this equipment.

CHH/anc

c: The Honorable Mark Napier, Pima County Sheriff  
Thomas Weaver, Chief Civil Deputy County Attorney