



Delaware House of Representatives House Majority Caucus

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REP. SCOTT TO INTRODUCE HANDS-FREE **CELL PHONE LEGISLATION**

HS 1 for HB 229 would also ban text messaging while driving

DOVER – Citing a need for passage of comprehensive legislation regulating the use of electronic communication devices while driving, Rep. Darryl M. Scott announced Friday that he will file legislation that would require drivers to use hands-free technology when operating a cell phone while the vehicle is in motion.

House Substitute 1 for House Bill 229 also would prohibit text messaging, sending or reading e-mails or browsing Websites while the vehicle is in motion. The bill allows a driver to use a headset, speakerphone or other hands-free device to talk on a cell phone while driving.

Rep. Scott, D-Dover, noted that the original HB 229 would have prohibited drivers from using cell phones entirely, but he said there wasn't enough support for a complete cell phone ban.

“Many legislators, including me, believe that having some restrictions with respect to cell phone usage is a good first step,” Rep. Scott said. “Distracted driving can lead to accidents that cause property damage, injuries and even death.”

Under the bill, a first violation of this primary offense would carry a civil penalty of \$50. A driver who violates the proposed law again would be fined \$100-\$200.

Previous legislative attempts at restricting cell phone usage have failed, but Rep. Scott discussed his proposal with AAA Mid-Atlantic and the Department of Safety and Homeland Security, bringing together major stakeholders from all sides.

The bill allows exemptions for police, firefighters and other emergency personnel, permitting them to use a hand-held cell phone while performing their duties. It also allows drivers to use a hand-held cell phone to report an accident, fire, reckless driver or another emergency.

“Studies have shown that using a cell phone takes a driver’s attention away from the road, not to mention a hand away from the wheel, which endangers all those around,” Rep. Scott said. “Hands-free devices are easily available, and many cars are equipped with hands-free technology so that drivers don’t have to even touch their cell phone to use it. Of course, we would prefer that drivers wait until they are parked to make phone calls. But by requiring drivers to use this technology, we’re taking an important first step in making our roads safer.”

According to the National Conference of State Legislatures, six other states, including New Jersey and New York, and Washington, D.C., require drivers to use hands-free devices. Nineteen states and the nation’s capital outright prohibit texting while driving.

HS 1 for HB 229 has 20 co-sponsors in the House and will be filed on Feb. 18, the next House pre-file date.

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