



## Delaware House of Representatives House Majority Caucus

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**Contact: Drew Volturo  
Work: (302) 744-4001  
Cell: (302) 593-5969**

### **HANDS-FREE CELL PHONE LEGISLATION PASSES HOUSE**

*Bill would require drivers to use hands-free devices while vehicle is in motion*

DOVER – Legislation that would require drivers to use hands-free technology when operating a cell phone while the vehicle is in motion passed the House on Thursday.

Sponsored by Rep. Darryl M. Scott, 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, said the bill would create a statewide regulation of the use of electronic communication devices while driving rather than a patchwork system that varies by municipality. The cities of Wilmington and Elsmere have already passed measures restricting the use of cell phones while driving.

“Distracted driving can lead to accidents that cause property damage, injuries and even death,” Rep. Scott said. “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. Putting restrictions in place that will reduce cell phone usage while driving is an important first step in curbing distracted driving.

“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. By requiring drivers to use this technology, we’re taking an important first step in making our roads safer.”

Under the bill, a first violation of this primary offense would carry a civil penalty of \$50. A second offense would carry a fine of \$100-\$200.

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.

According to the National Conference of State Legislatures, seven other states, including New Jersey and New York, and Washington, D.C., require drivers to use hands-free devices. Twenty-two states and the nation's capital outright prohibit texting while driving, and three more states have texting bans that will go into effect later this year.

HS 1 for HB 229, which passed the House 33-5, now goes to the Senate for consideration.

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