



## Delaware House of Representatives House Majority Caucus

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### **HANDS-FREE CELL PHONE LEGISLATION PASSES HOUSE,** **ON ITS WAY TO GOVERNOR FOR SIGNATURE**

*Rep. Scott: 'We're taking an important first step in making our roads safer'*

DOVER – A comprehensive statewide restriction on handheld cell phone use while driving is on its way to the governor for his signature after the House passed hands-free legislation on Tuesday.

Sponsored by Rep. Darryl M. Scott, House Substitute 1 for House Bill 229 creates a comprehensive statewide restriction on cell phone use while operating a motor vehicle. The bill requires drivers to use a hands-free device to talk while driving. The measure also prohibits 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.

“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,” Rep. Scott said. “By requiring drivers to use this technology, we’re taking an important first step in making our roads safer. Putting restrictions in place that will reduce cell phone usage while driving is an important first step in curbing distracted driving.”

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. Violators would not accumulate any points on their licenses. Drivers would be permitted to punch in the phone number or activate the hands-free device, but then cannot have the phone in their hands.

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, eight other states, including Maryland, New Jersey and New York, and Washington, D.C., require drivers to use hands-free devices, with Maryland's law going into effect on Oct. 1. Twenty-three states and the nation's capital outright prohibit texting while driving, and five more states have texting bans that will go into effect later this year.

Governor Jack A. Markell has indicated that he will sign HS 1 for HB 229.

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