

Hands Free Legislation Talking Points

What does this legislation attempt to do?

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This legislation **does not** attempt to restrict driver's ability to have a cell phone conversation while driving.

Multiple studies have shown that engaging in an in depth conversation while driving is distracting, whether handheld or hands free.

We would love for drivers to refrain from talking on the cell phone while driving, but **that is not what** this legislation attempts to do.

This legislation **does not address other forms of driver distraction**, such as reading a book, looking at a roadmap, or working on an Excel spreadsheet.

What **does** this legislation attempt to do?

This legislation **does** attempt to **improve highway safety** by reducing a driver's more dangerous distractions while using a cell phone.

Although having a conversation on the cell phone while driving is distracting, other activities drivers are engaged in with their cell phones are even more distracting and more dangerous.

Examples include playing video Games, facebook, instagram, watching movies, and watching YouTube videos.

I hope we can all agree these activities are very dangerous and drivers should avoid them.

That is what this legislation is attempting to address.

I think everyone would agree that no one should be allowed to play video games or watch movies while driving.

Current law

The problem with the current law is that it is almost unenforceable.

It is very difficult for an officer to prove a driver was talking on their cell phone, as opposed to texting or watching a movie.

Assistant district attorneys (ADA) are very reluctant to try these cases because of the way the law is written and,

Judges are very reluctant to convict a driver under current law.

The result is there is **almost no enforcement** of our current cell phone law.

The **exception** to lack of enforcement is in school zones, where it is hands free and as a result very easy to take enforcement action.

It is scary how easy it is to write citations for cell phone use in a school zone. Our data proves this.

You would think, or at least hope, the drivers would be even more cautious in a school zone.