California Bans Holding Cell Phone While Driving

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Beginning on Jan. 1, 2017, drivers in California will be prohibited from holding their cell phones while they drive. Governor Jerry Brown signed AB 1785 in September, and its effective date is on Jan. 1, 2017. The law prohibits holding a cell phone while driving for any purpose, including checking maps, texting, talking or for any other reason.

What the law allows

The new law is codified at California Vehicle Code Sect. 23123.5. It provides that people may only use their cell phones while they are driving if the phones are mounted on their dashes and are set up for voice activation or hands-free use. Systems that are embedded in the vehicle and installed by the manufacturer are exempted. Emergency personnel who are using their cell phones while they are driving emergency vehicles are also exempt from the law. The first offense of the statute is a fine of $20. Successive violations bring increasing fines.

How the new law clarifies the ban on cell phone use while driving

California has had restrictions in place on using cell phones while driving since 2006. Today’s phones have much greater capabilities, allowing people to do much more than they could before. The previous laws in California specifically addressed talking or texting while driving. The new law broadens the restrictions on using cell phones to include any distracting activity, including taking photographs, playing videos and checking maps. This helps to clarify the pre-existing law so that people understand that all uses of handheld cell phones while they are behind the wheel are prohibited.

Reasons for banning handheld cell phone use while driving

The primary reason for the ban on all uses of handheld cell phone use while people are driving is to lessen the risk of accidents. When drivers take their hands and eyes off of the wheel to use their cell phones, they may cause accidents in just seconds. Distracted driving has become a major contributor to motor vehicle crashes. In one study that was conducted in 2006, researchers found that talking on handheld cell phones while driving was just as dangerous as driving while under the influence of alcohol. Recently, people have been able to access the internet and do many more things with their phones, necessitating an update of the law and a broadening of the restrictions.

It is dangerous to use a cell phone while driving. People who do so and who then cause crashes may be held to be liable to others who are injured. Injured victims might want to consult with a personal injury attorney about their potential legal claims.

Sources:

