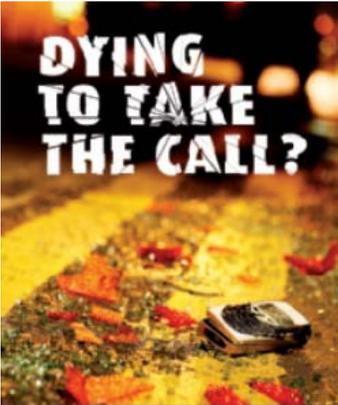


Safety Note #132

## DRIVING AND CELL PHONE USE



Courtesy of 'thinkroadsafety.gov.uk'

You may have many questions when it comes to cell phones. For example, what type of phone should I get or which provider should I be with? But have you asked yourself when should I use or not use a cell phone? This question and others like it have been the topic of many press and university articles and studies when it concerns driving and use of cell phones.

A University of Utah study found that "Drivers using a cell phone fail to see information in the driving scene because they do not encode it as well as they do when they are not distracted by the cell-phone conversation."<sup>1</sup> Another study also found that people are five times more likely to get in an accident if on a cell phone; this is similar to the accident rate found with drunk driving.<sup>2</sup>

In response to the accident risks associated with driving while using a cell phone, the University of California has implemented the following policy for all employees:

- "The employee is expected to avoid using a cellular phone or any other type of electronic communications equipment under any circumstances where such use might create or appear to create a hazard, including use while operating a motor vehicle."
- Use of a cell phone for emergency purposes while driving is allowed.
- More information about this policy can be found at: Business and Finance Bulletin [G-46: Guidelines for the Purchase and Use of Cellular Phones and Other Portable Electronic Resources](#)

The following California laws apply to driving and cell phone use:

- As of January 1, 2017, cell phones must be mounted on a vehicle's windshield or to the dashboard or center console in a manner that does not hinder the driver's view of the road. The driver may only use one finger to tap or swipe the screen to activate or deactivate a feature or function on the device as long as the phone is mounted or fixed to the vehicle.
- California Vehicle Code (CVC) §23124 – Minors (under 18 years of age) **are prohibited** from driving a motor vehicle while using a wireless telephone, *including a hands-free device*, and/or a mobile service device (pagers, texting devices, laptops, ext.).
- CVC §23123 – Drivers 18 years of age or older **are prohibited** from driving a motor vehicle while using a wireless telephone **unless** a hands-free device is used.
- Exceptions include:
  - Emergency situations, for example: calls to law enforcement, health care provider, fire department, etc.
  - While operating a vehicle on private property.
  - Emergency service providers operating an authorized emergency vehicle during the course of employment.
- CVC §23123.5 – A person **shall not use** an electronic wireless communication device to write, send, or read a text-based communication while driving.

For FAQs on California laws concerning cell phone use, please visit <http://www.dmv.org/ca-california/safety-laws.php#Cell-Phone-Laws>. Also see Safety Note #75 Safe Driving Practices on the ANR EH&S website: [safety.ucanr.org/safety\\_notes](http://safety.ucanr.org/safety_notes)