

HANDS-FREE LAW

HOUSE BILL 673- “HANDS FREE LAW”

House Bill 673 also known as the “Hands Free Law” was passed by the Georgia General Assembly and signed into law by Governor Nathan Deal. The Hands Free Law will take effect on July 1, 2018. The following is a brief description what the law states and some frequently asked questions. A link to the complete law can be found at www.gahighwaysafety.org.

- A driver cannot have a phone in their hand or use any part of their body to support their phone. Drivers can only use their phones to make or receive phone calls by using speakerphone, earpiece, wireless headphone, phone is connected to vehicle or an electronic watch. GPS navigation devices are allowed.
- Headsets and earpieces can only be worn for communication purposes and not for listening to music or other entertainment.
- A driver may not send or read any text-based communication unless using voice-based communication that automatically

converts message to a written text or is being used for navigation or GPS

- A driver may not write, send or read any text messages, e-mails, social media or internet data content
- A driver may not watch a video unless it is for navigation.
- A driver may not record a video (continuously running dash cams are exempt)
- Music streaming apps can be used provided the driver activates and programs them when they are parked. Drivers cannot touch their phones to do anything to their music apps when they are on the road. Music streaming apps that include video also are not allowed since drivers cannot watch videos when on the road. Drivers can listen to and program music streaming apps that are connected to and controlled through their vehicle's radio.
- The hands-free law does NOT apply to the following electronic communication devices and the following devices can be used by the driver when on the road: radio, citizens band radio, citizens band radio hybrid, commercial two-way radio communication device or its functional equivalent, subscription-based emergency communication device, prescribed medical device, amateur or ham radio device, or in-vehicle security, navigation, or remote diagnostics system.

EXCEPTIONS TO THE LAW ARE AS FOLLOWS:

1. Reporting a traffic crash, medical emergency, fire, criminal activity or hazardous road conditions.
2. An employee or contractor of an utility service provider acting within the scope of their employment while responding to an utility emergency.
3. A first responder (law enforcement, fire, EMS) during the performance of their official duties.
4. When in a lawfully parked vehicle—this DOES NOT include vehicles stopped for traffic signals and stop signs on the public roadway.

COMMERCIAL MOTOR VEHICLE OPERATORS

1. Commercial Motor Vehicle Operators can only use one button to begin or end a phone call
2. Cannot reach for a wireless telecommunications device or stand-alone electronic device that it no longer requires the driver to be a seated position or properly restrained by a safety belt

SCHOOL BUS DRIVERS

1. The driver of a school bus cannot use a wireless telecommunication device or two-way radio while loading or unloading passengers.
2. The driver can only use a wireless telecommunication device while the bus is in motion as a two-way radio to allow live

communications between the driver and school and public safety officials

ENFORCEMENT

When the Hands-Free law takes effect July 1, the Georgia Department of Public Safety and local law enforcement have the option to issue warnings for violations as part of the effort to educate and to help motorists adapt to the new law. However, citations can and will be issued starting July 1 for any violation of the Hands-Free Law, including those where the violation involves a traffic crash. There is not a 90-day grace period provision in the Hands-Free Law.

FREQUENTLY ASKED QUESTIONS

Why is this law needed in Georgia?

Our state has seen significant increases in vehicle traffic crashes, fatalities and bodily injury. The vast majority of these increases have been in rear-end crashes, single-car crashes and crashes by drivers from 15 to 25-years-old. State and local law enforcement have stated that these incidents are a clear indication of driver inattention. The 15 states that have passed hands-free driving laws saw a 16 percent decrease in traffic fatalities in the two years after the law was passed. In addition, traffic fatalities were reduced even further in subsequent years.

Could I still talk on my phone while driving?

Yes, as long as it is done hands-free. Drivers would be able to use their phone's speakerphone, Bluetooth technology, an earpiece, a headphone or other device to allow them to communicate on a hands-free basis.

Could I touch my cellphone to dial a number or receive or end a call?

Yes. The law would simply prohibit drivers from holding or supporting the phone.

Would I be required to purchase a hands-free accessory, such as a mount or bracket?

No. The proposed law simply states that a driver cannot hold or support a mobile phone. A phone can be left on a vehicle's console, a front seat, etc. However, for the safety of all Georgians, state and local law enforcement recommend the purchase and use of a hands-free device if using a mobile phone while driving.

My vehicle does not have Bluetooth technology/capability. How could I comply with the law?

Many online retailers offer a Bluetooth adapter for vehicles without Bluetooth or similar technology built into the vehicle. These adapters can be found at local retailers or online by searching "Bluetooth hands-free car kit" in an internet search engine.

What would the fines/penalties be?

First conviction: \$50, one point on a license;

Second conviction: \$100, two points on a license;

Third and subsequent convictions: \$150, three points on a license.

Could I listen to online radio apps while driving? (Updated information)*****

A driver cannot touch their phone to activate or program a radio app while they are on the road (the road includes being stopped for traffic signals and stop signs). A driver can activate a radio app before getting on the road and listen to the programming. A driver can also listen to programming from their app if it is connected and controlled by the vehicle's stereo (radio), and the driver is not touching their phone while driving. We caution drivers that music streaming apps that also include video do violate the new law which specifically prohibits drivers from watching videos. The rule of thumb here is you can listen to your radio app as long as you do not touch your phone when driving on the road AND it's use does not distract the driver in any manner in the safe operation of their vehicle.

Could I listen to music stored on my mobile phone, thus not requiring an internet connection?

Yes, as long as the driver is not holding or supporting the phone.

Could I talk to someone via video telephony apps, such as FaceTime or Skype, if doing so “hands-free?”

No. The proposed hands-free driving law states that a driver shall not “record or broadcast a video” on any mobile phones, iPads, computers, etc. while operating a vehicle.

Submit specific questions about the Hands-Free Law to: <https://www.gahighwaysafety.org/contact/>

Governor's Office of Highway Safety in Georgia
7 Martin Luther King Jr. Drive Suite 643
Atlanta, GA 30334