

Mobile Phone Restrictions Fact Sheet

New Mobile Phone Restriction Rule for Commercial Motor Vehicle Drivers

Overview and Background

A new FMCSA rule restricts the use of all hand-held mobile devices by drivers of commercial motor vehicles (CMVs). This rulemaking restricts a CMV driver from holding a mobile device to make a call, or dialing by pressing more than a single button. CMV drivers who use a mobile phone while driving can only use a hands-free phone located in close proximity.

Research commissioned by FMCSA shows that the odds of being involved in a safety-critical event (e.g., crash, near-crash, unintentional lane deviation) are 6 times greater for CMV drivers who engage in dialing a mobile phone while driving than for those who do not. Dialing drivers took their eyes off the forward roadway for an average of 3.8 seconds. At 55 mph (or 80.7 feet per second), this equates to a driver traveling 306 feet, the approximate length of a football field, without looking at the roadway!

What is the definition of using a mobile telephone?

The use of a hand-held mobile telephone means:

- Using at least one hand to hold a mobile phone to make a call;
- Dialing a mobile phone by pressing more than a single button; or
- Reaching for a mobile phone in a manner that requires a driver to maneuver so that he or she is no longer in a seated driving position, restrained by a seat belt.

What does this rule mean to drivers and carriers?

- **Fines and Penalties** - Using a hand-held mobile phone while driving a CMV can result in driver disqualification. Penalties can be up to \$2,750 for drivers and up to \$11,000 for employers who allow or require drivers to use a hand-held communications device while driving.
- Disqualification - Multiple violations of the prohibition of using a hand-held mobile phone while driving a CMV can result in a driver disqualification by FMCSA. Multiple violations of State laws prohibiting use of a mobile phone while driving a CMV is a serious traffic violation that could result in a disqualification by a State of drivers required to have a Commercial Drivers License.
- **What are the risks?** - Using a hand-held mobile phone is risky because it requires the driver to reach for and dial the phone to make a call. Reaching for a phone out of the driver's immediate area is risky as well as dialing because these actions take the driver's eyes off the roadway.
- The rule applies to drivers operating a commercial motor vehicle on a roadway, including moving forward or temporarily stationary because of traffic, traffic control devices, or other momentary delays.
- A mounted phone is acceptable as long as it is mounted close to the driver.



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- Impact on Safety Measurement System (SMS) Results - Violations negatively impact SMS results, and they carry the maximum severity weight.

Compliance

Make sure the mobile telephone is within close enough proximity that it is operable while the driver is restrained by properly installed and adjusted seat belts.

- Use an earpiece or the speaker phone function.
- Use voice-activated dialing.
- Use the hands-free feature. To comply, a driver must have his or her mobile telephone located where he or she is able to initiate, answer, or terminate a call by touching a single button. The driver must be in the seated driving position and properly restrained by a seat belt. Drivers are not in compliance if they unsafely reach for a mobile phone, even if they intend to use the hands-free function.

No Call, No Text, No Ticket!

