

## Definitions

“Stand-alone electronic device” – 40-6-241 (a)(1)

- A device that stores audio or video data files to be retrieved on demand by a user. (Ex. – iPod)

“Wireless Telecommunications Device” - 40-6-241 (a) (3)

### 1. What it is:

- Cell phones
- Portable telephones or text-messaging devices
- Personal digital assistant
- Stand-alone computer (laptop or tablet)
- GPS receiver
- Any similar portable wireless device used to send/receive communications or data

### 2. What it is NOT:

- Radio
- CB Radio OR CB Radio hybrid
- Commercial two-way radio (or functional equivalent)
- Subscription based emergency communications device
- Prescribed medical device
- Amateur or ham radio device
- **In-vehicle** security, navigation, or remote diagnostics system.

*There is **NO** requirement that an officer observe another violation or write any other citation to enforce this new law.*

According to the National Highway Traffic Safety Administration, distracted driving caused 391,000 accidents with injuries in 2015 and 3,450 accidents with fatalities in 2016.

<https://www.nhtsa.gov/risky-driving/distracted-driving>

The Georgia Governor’s Office of Highway Safety stated that nearly all motor vehicle crashes are a result of distracted driving, simply because one of the drivers involved wasn’t paying attention to the road.

<https://www.gahighwaysafety.org/research/distracted-driving/>

*Please take time to familiarize yourself with the new law **BEFORE** it goes into effect July 1, 2018.*

Our goal in sharing this information with you is simple: educate the motoring public about the new law and hopefully reduce future traffic accidents.

WHAT YOU NEED  
TO KNOW ABOUT

# *Hands Free Georgia Law*



*Information about the new law  
and how it will be enforced*

*Provided by:*

*Suwanee Police Department  
Professional, Ethical, Knowledgeable  
Chief Mike Jones*

**With**  
Special thanks to the  
**Marietta Police Department**  
for allowing us to use this information.



## What does the new law actually mean to me?

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**BASICALLY**, the new law means you cannot operate a motor vehicle while operating a cell phone, holding a cell phone with your hand or supporting a cell phone with another part of your body.



For some, the basic explanation is enough.

To understand the most important points of the law, let's start with definitions and then move into the rules.

## Rules

### Motor Vehicle Operations (40-6-241)

1. A driver may not hold / support a wireless telecommunications device or stand-alone computer with any part of their body.
  - Exceptions – Earpiece, headphone, smart watch
2. May not write, send, or read any text-based communication
  - Exceptions – Voice based communication automatically converted to written message
3. Navigation / GPS may only be accessed by the driver while vehicle is lawfully parked. The screen may be viewed while the vehicle is in motion but may not be held or supported by any part of the driver's body.
4. May not watch a video
  - Exception – Navigation Device
5. May not record a video
  - Exception – Continuous recording / broadcasting (dash cams)

### School Bus Operations (40-6-165)

1. A school bus driver may not use a wireless telecommunications device or two-way radio while loading or unloading passengers.
2. A school bus driver may not use a wireless telecommunications device while the bus is in motion, unless it is used in a manner similar to a two-way radio to allow communication with school or public safety officials.

### *What about COMMERCIAL drivers?!*

**For commercial motor vehicle operators ONLY: 40-6-241 (d)**

1. May not use more than a single button to initiate a voice conversation
2. May not reach for a wireless telecommunications device in such a manner that they are:
  - a. No longer in a seated driving position
  - b. Or properly restrained by a seat belt

*(Note – CMV provisions remain unchanged from previous law (former 4-6-241.2 (b)(2)) – avoids conflict with FMCSA regulations)*

### *Wait, are you telling me there are NO exceptions?*

**Exceptions that apply to all drivers 40-6-241 (g)**

1. Reporting a traffic accident, medical emergency, fire, crime, or hazardous road condition.
2. Employee / contractor of utility service provider acting within the scope of their employment while responding to a utility emergency.
3. By a first responder (police, fire, EMS) during the performance of their official duties.
4. When in a lawfully parked vehicle.