

QUICK GUIDE TO ARIZONA'S DISTRACTED DRIVING LAW

Arizona's new distracted driving law - House Bill 2318, focuses on the **primary distraction among drivers: a cell phone.** The Arizona Department of Public Safety refers to it as the "Hands Off Law", which took effect last January 1, 2021.

Provisions of the New Distracted Driving Law

It bans drivers from using cell phones and similar electronic devices while the vehicle is in motion.

The law prohibits the use of a **"stand-alone electronic device"** while driving, which includes:

- X Cellular phones
- X Tablets
- X Music devices
- X Gaming devices
- X Any wireless communication/storage device with retrievable audio, video, or data capacity

While driving, it is against the law to do the following:



- Making a call
- Answering a call
- Reading a message



- Texting
- Holding a device with your body



- Watching videos
- Recording videos

Distracted Driving Law Exceptions

With all the prohibitions of the new law, there are exceptions, for jobs and industries that rely on cell phones and similar gadgets.

For example, emergency responders need constant communication systems so that they can effectively perform their tasks.



The ban against wireless communication devices behind the wheel does not apply to any of the following:

- ✓ **Emergency vehicles**
such as ambulance, patrol cars, and fire trucks (subscription-based communications)
- ✓ **Traffic, road, and weather information devices**
- ✓ **Image enhancers that supplement a driver's view of the front, rear, and side areas of the vehicle**
(in-vehicle security systems)
- ✓ **Devices that provide vehicle information and driving controls**
- ✓ **Image display devices that permit a driver to monitor the vehicle occupants behind his/her seat**
- ✓ **Devices that relay information intended to enhance traffic safety**
(radios including citizen band and hybrid)
- ✓ **Portable display of images for navigation or global positioning (GPS) purposes while the vehicle is in motion**
- ✓ **Similar image devices built or installed in vehicles of public corporations or political subdivisions**
for service and maintenance of its facilities (including remote diagnostic systems)
- ✓ **Any use of image display while the vehicle is parked**
(i.e., texting, calling, watching, browsing, etc)



HANDS-FREE DEVICE



GPS NAVIGATION



EMERGENCY 911 CALLS

The law regulates cell phone use to prevent drivers from doing actions that interfere with the safe operation of their vehicles.



Amendments to the Legislature

Upon its enactment, House Bill 2318 of the 54th legislature became applicable nationwide. To cite SECTION 28-914 of the Arizona Revised Statutes:

"H. THE REGULATION AND USE OF PORTABLE WIRELESS COMMUNICATION DEVICES WHILE OPERATING A MOTOR VEHICLE ARE OF STATEWIDE CONCERN. FROM AND AFTER DECEMBER 31, 2020, THE REGULATION OF PORTABLE WIRELESS COMMUNICATION DEVICES PURSUANT TO THIS SECTION AND THEIR USE WHILE OPERATING A MOTOR VEHICLE IS NOT SUBJECT TO FURTHER REGULATION BY A COUNTY, CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF THIS STATE. FROM AND AFTER DECEMBER 31, 2020, A REGULATION BY A COUNTY, CITY, TOWN OR OTHER POLITICAL SUBDIVISION THAT VIOLATES THIS SUBSECTION, WHETHER ENACTED BEFORE OR AFTER JANUARY 1, 2021, IS VOID."

This means that the penalties for using cell phones and similar devices while driving will no longer depend on local regulations. **The law does not allow drivers to hold their cell phones while driving anywhere in Arizona.**

Have you been injured in an automobile accident that is not your fault? Chances are, the other driver might be distracted before the crash. Our legal team can help you demand rightful compensation from the liable party. Call us for a free consultation.

