

## Cellphone laws

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A jurisdiction-wide ban on driving while talking on a hand-held cellular phone is in place in 6 states (California, Connecticut, New Jersey, New York, Utah, and Washington) and the District of Columbia. Utah has named the offense careless driving. Under the Utah law, no one commits an offense when speaking on a cellphone unless they are also committing some other moving violation other than speeding.

Localities are allowed to ban cellphone use in 6 states (Illinois, Massachusetts, Michigan, New Mexico, Ohio, and Pennsylvania). Localities that have enacted restrictions on cellphone use include: Chicago, IL; Brookline, MA; Detroit, MI; Santa Fe, NM; Brooklyn, North Olmstead and Walton Hills, OH; and Conshohocken, Lebanon and West Conshohocken, PA.

Localities are prohibited from banning cellphone use in 8 states (Florida, Kentucky, Louisiana, Mississippi, Nevada, Oklahoma, Oregon, and Utah).

The use of all cellular phones while driving a school bus is prohibited in 15 states and the District of Columbia.

The use of cellular phones by teens in the graduated licensing system is restricted in 17 states and the District of Columbia.

The table below shows the states that have cell phone laws and whether they are enforced as primary or secondary laws. Under secondary laws, an officer must have some other reason to stop a vehicle before citing a driver for using a cellphone. Laws without this restriction are called primary. California and Utah have unusual provisions noted below.

**Cellphone restrictions**

State	Hand-held ban	All cellphone ban	Enforcement
Alabama	no	no	not applicable
Alaska	no	no	not applicable
Arizona	no	school bus drivers	primary
Arkansas	no	school bus drivers	primary
California	yes (effective 07/01/08)	school and transit bus drivers and drivers younger than 18 (effective 07/01/08)	primary <sup>1</sup>
Colorado	no	learner's permit holders	secondary
Connecticut	yes	learner's permit holders, drivers younger than 18, and school bus drivers	primary
Delaware	no	school bus drivers and learner's permit and intermediate license holders	primary
District of Columbia	yes	school bus drivers and learner's permit holders	primary
Florida	no	no	not applicable
Georgia	no	school bus drivers	primary
Hawaii	no	no	not applicable
Idaho	no	no	not applicable
Illinois	by jurisdiction	learner's permit holders, drivers younger than 19, and school bus drivers	primary
Indiana	no	no	not applicable

Iowa	no	no	not applicable
Kansas	no	no	not applicable
Kentucky	no	school bus drivers	primary
Louisiana	no	no	not applicable
Maine	no	learner's permit and intermediate license holders	primary
Maryland	no	learner's permit and intermediate license holders	secondary
Massachusetts	by jurisdiction	school bus drivers	primary
Michigan	by jurisdiction	no	not applicable
Minnesota	no	learner's permit holders and provisional license holders during the first 12 months after licensing	primary
Mississippi	no	no	not applicable
Missouri	no	no	not applicable
Montana	no	no	not applicable
Nebraska	no	learner's permit and intermediate license holders younger than 18 may not use a cellphone or other wireless communication device	secondary
Nevada	no	no	not applicable
New Hampshire	no	no	not applicable
New Jersey	yes; text messaging prohibited	school bus drivers and learner's permit and intermediate license holders	primary
New Mexico	by jurisdiction	no	not applicable
New York	yes	no	primary
North Carolina	no	drivers younger than 18 and school bus drivers	primary
North Dakota	no	no	not applicable
Ohio	by jurisdiction	no	not applicable
Oklahoma	no	no	not applicable
Oregon	no	learner's permit and intermediate license holders	secondary
Pennsylvania	by jurisdiction	no	not applicable
Rhode Island	no	school bus drivers and drivers younger than 18	primary
South Carolina	no	no	not applicable
South Dakota	no	no	not applicable
Tennessee	no	school bus drivers and learner's permit and intermediate license holders	primary
Texas	no	bus drivers when a passenger 17 and younger is present; intermediate license holders for first six months	primary
Utah	yes <sup>2</sup>	no	secondary <sup>2</sup>
Vermont	no	no	not applicable

Virginia	no	drivers younger than 18 (effective 7/1/07) and school bus drivers (effective 07/01/08)	secondary; primary for school bus drivers (effective 07/01/08)
Washington	yes (effective 07/01/08); text messaging prohibited	no	secondary
West Virginia	no	learner's permit and intermediate license holders	secondary
Wisconsin	no	no	not applicable
Wyoming	no	no	not applicable

<sup>1</sup>An officer in California can stop a person, regardless of age, holding a cellphone and talking on it, but they may not use checkpoints to enforce the all cell ban for drivers younger than 18.

<sup>2</sup>Utah's law defines careless driving as committing a moving violation (other than speeding) while distracted by use of a hand-held cellphone or other activities not related to driving.

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