

## The Facts: *HF 50 / SF 91* *Hands free cell phone use*

### 1/16/19 Update

#### We need to pass Hands Free now because...

- **Hands Free Works** – 12 of 15 states that passed hands free saw fatalities decrease an average of 16% within two years. Georgia, the most recent state to pass hands free, has seen a 7% decrease in fatalities over six months.
- **Public Support** - Over 70% of the public supports addressing distracted driving based on polling and surveys.
- **Statewide Impact** - This is not a metro-only problem. 75% of our roadway fatalities occur outside the metro-area.

#### What do HF50/SF91 do?

- Allows use of a cell phone and related functions in a voice-activated or other hands-free mode, through a device feature, headset or other accessories.
- Allows cell phone calls/functions made with one-touch functionality. This allows for systems that require a one-touch activation and matches current federal commercial motor vehicle requirements.
- Allows **hand-held** cell phone use:
  - To obtain emergency assistance.
  - In the event of an immediate life or safety threat or danger.
  - In an authorized emergency vehicle while in the performance of official duties.

#### What do HF50/SF91 not do?

- Does not ban cell phone use while driving.
- Does not ban hands use of cell phones for navigation (GPS) or listening to music or podcasts.
- Does not apply to devices that function solely as GPS or navigation systems.
- Does not change the current penalties and fines. The current fines of \$50, first ticket, \$225, second and subsequent tickets plus court fees still apply.
- Does not affect CB, fleet or other radio systems. Their use is regulated under a different statute.

## FAQs

**Is hands free driving distraction free?** No! Simply being involved in a conversation on the phone is distracting.

Hands free is safer than hands on; 12 of 15 states that have passed hands free have seen decreased fatalities. Hands free helps prevent physical interaction with a phone or app which has been a factor in fatalities in Minnesota.

Hands free does not address other forms of distraction like eating, grooming, pets, passengers or daydreaming. Drivers still need to pay attention and operate their vehicle responsibly regardless of how they are using their cell phones.

**Can I use my cell phone while driving?** Yes, in a hands free or one-touch activation mode.

**Can I use my GPS?** Yes, these bills allow the use of GPS and/or navigation systems.

**Can I use my phone as a GPS?** Yes, but only in a hands free or one-touch mode while not driving or as part of traffic.

**Can I pick up and use my phone in an emergency?** Yes.

**Do these bills change the penalties?** No. The current fines of \$50, first ticket, \$225, second and subsequent tickets plus court fees still apply.

**Will this make the roads safer?** Yes, in two ways.

- a. Emerging data from federal and academic sources is showing reduced crashes and fatalities in states with hands free.
- b. Enforcement of the law will be much simpler. If you have the phone in your hand while driving or in traffic, you are subject to enforcement. Enforcement and education must be linked to improve driving behavior.

**How many states have hands-free cell phone laws?** 17 states and the District of Columbia.

**Do hands-free laws increase enforcement?** Yes. New York and Georgia, for example, have greatly increased enforcement.

**Can I still use my CB radio?** Yes. These bills do not change radio use requirements.

## Contacts:

Minnesota Safety Council  
Paul Aasen  
President  
612-309-5440

Insurance Federation of Minnesota  
Bob Johnson  
President  
651-303-8902

Minnesota Trucking Association  
John Hausladen  
President  
651-295-5672