



# Hands Free Fact Sheet

## July 1: Hands-Free Cell Phone Law Goes into Effect Throughout Idaho

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Beginning Wednesday, July 1, 2020, drivers throughout Idaho will recommit to safe, responsible driving by following a new law meant to keep drivers engaged while behind the wheel.

The new Idaho State Code [49-1401A](#) requires electronic devices be in hands-free mode while driving, including when stopped at a red light or stop sign. In other words, with few exceptions, the new hands-free law makes *holding a cell phone illegal while operating a vehicle*.

The law is [intended to](#) “address safety concerns associated with a significant portion of distracted driving crashes.”

“Education of motorists is key.” Said Col. Kedrick Wills, Director of the Idaho State Police.

“Idahoans want to be responsible and to be good drivers. This law is another way to remind all of us we need to pay attention to the road when we’re behind the wheel. As law enforcement, we can remind them with education or enforcement. We’re starting with what we prefer, education.”

### Education First:

This law applies in *every city and county* throughout the state. Troopers, officers and deputies will issue warnings from *July 1, 2020 to Dec. 31, 2020*. Citations can be issued beginning *January 1, 2021*.

### What Drivers Need to Know:

- Drivers can only use electronic devices and mobile phones in hands-free mode;
- Drivers are only permitted to touch devices to activate hands-free mode;
- Drivers are not permitted to hold or support any electronic device/phone;
- Activation of GPS, voice to text, and making or receiving calls is permitted with one-touch or voice command;
- Handheld use is allowed only if the vehicle is both stationary and not located in a public travel lane, or in the event of an emergency;
- Drivers are not allowed to touch a device for texting, emailing, apps, video, or internet use;
- Should a driver receive two distracted driving violations in three years, the new law states insurance companies can consider those violations when establishing insurance rates for a driver.

“We’re in this together, every motorist on the road. Our lawmakers have seen the need to give law enforcement in every jurisdiction, cities, counties and the state, a greater tool to ensure traffic safety. But the greatest power lies with each individual motorist who gets behind the wheel and makes the conscious decision to be engaged while driving.

“ISP will do our part to enforce when necessary, but we’re asking every Idaho driver to take it upon yourself and take responsibility for your own safety and the safety of others around you. Keep your hands on the wheel, your eyes on the road, and your mind on driving, and together we’ll keep Idaho safe.” Said Col. Wills.

**Penalty for Violating the Hands-Free Law:**

1st offense – **\$75** fine

2nd offense within three years – **\$150** fine

3rd and subsequent offenses within three years– **\$300** fine. Three offenses in three years can also lead to a license suspension of up to 90 days.

**Deadly Distractions:**

Idaho drivers are encouraged to [SHIFT their behavior](#) and focus on *engaged driving*. Unfortunately, distracted driving remains a danger, and over the past decade has morphed from random incidents to a persistent and dangerous problem.

- 241 people killed in Idaho in crashes attributed to distracted driving between 2014 and 2018.
- In 1 in 5 crashes in Idaho, distracted driving is contributing factor.

“Things can go wrong very quickly when you take your eyes off the road for even a few seconds.

“Sadly, Troopers have come across crashes where the driver’s decision to use a mobile device resulted in life or death consequences. Anyone who has seen, been involved in, or is tasked with responding to these crashes understands this law addresses safety for every single one of us who drives on our roadways.” Said Col. Wills.

**A Statewide Statute:**

The new [ISC 49-1401A](#) will preempt all local ordinances in relation to hands-free driving superseding cities who already have hands-free ordinances. In 2012, the legislature passed a law that prohibited texting. This statute will be repealed once House Bill 614 takes effect July 1.

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