



Public Release

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January 1: Hands-Free Device Law Education and Enforcement may include a Citation

Beginning Friday, January 1, 2021, drivers reported in violation of Idaho's "hands-free" device code risk receiving a citation.

Since July, Idaho State Troopers' efforts to educate motorists about the dangers of distracted driving and the state's new "hands-free" device law has resulted in more than 700 warnings issued.

"There is nothing on your screen that is worth your life or the life of another," said ISP Lt. Chris Weadick. "ISP and our local law enforcement agencies are committed to keeping Idaho roads safe. The goal is to change driving behavior and save lives, and we urge all drivers to pay attention when they are behind the wheel"

Sad Stats:

According to the Idaho Transportation Office of Highway Safety:

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

Idaho's "hands-free" device law went into effect July 1, 2020, allowing officers a six-month period to issue warnings when they found evidence of violations. Troopers say they have seen more drivers using Bluetooth and other hands-free device options, but more education is needed.

"If you're texting or using a device, you're not driving," said ISP Sgt. Curt Sproat. "For a lot of people, devices have become a habit, but it's a very dangerous habit when we're driving. That's why the law is in place and if a citation is the incentive some drivers need to put the device down and focus on the road, officers now have that option."

What Drivers Need to Know about Idaho's [Hands-Free Device law, ISC 49-1401A](#):

- Idaho's hands-free device law requires electronic devices to 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*.
 - 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 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.

What Drivers Can Do:

- If you are expecting a text message or need to send one, pull over and park your car in a safe location. Once you are safely off the road and parked, it is safe to text.
- Designate your passenger as your “designated texter.” Allow them access to your phone to respond to calls or messages.
- Activate your phone’s “Do Not Disturb” feature, or put your cell phone in the trunk, glove box, or back seat of your vehicle until you arrive at your destination if you are struggling not to use your device while driving.

Penalty for Violating the Hands-Free Law:

1st offense – \$75 fine, with court costs = **\$131.50**

2nd offense within three years – \$150 fine, with court costs = **\$206.50**

3rd and subsequent offenses within three years– \$300 fine, with court costs = **\$356.50**.

Three offenses in three years can also lead to a license suspension of up to 90 days.

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