

SPECIAL REPORT

3333 Commodity Lane, Green Bay, WI 54304 (920-338-2302)

N 
CELL PHONES!

HAND HELD CELL PHONE USE BANNED

The U. S. Department of Transportation (DOT) has set January 3, 2012, as the effective date of the new “Hand-Held Cell-Phone Ban” that was announced in the Federal Register on December 2, 2011. The rule—issued jointly by the Federal Motor Carrier Safety Administration (FMCSA) and the Pipeline and Hazardous Materials Administration (PHMSA)- prohibits “Interstate” commercial motor vehicle (CMV) drivers from using Hand-Held cell phones while driving. For “Intrastate” drivers, the ban only applies to those hauling hazardous materials that require placarding for now, but the states are expected to apply the ban to all in-state commercial drivers in the near future as each state adopts the ruling.



Under the new rule, CMV drivers will not be able to hold, dial, or reach for a hand-held cell phone, including those with push-to-talk capability. Hands free phone use is allowed, as is the use of CB radios and two-way radios (but not push-to-talk phones).

SPECIFICALLY, THE RULE PROHIBITS DRIVERS FROM

- *Using at least one hand to hold a mobile phone to conduct a voice communication;*
- *Dialing or answering a mobile phone by pressing more than a single button, and*
- *Reaching for a mobile phone in a manner that requires the driver to maneuver so that he or she is no longer in a seated, belted, or driving position.*

Drivers will not be able to use hand-held phones while temporarily stopped due to traffic, a traffic control device, or other momentary delays, but they will be able to use them after moving the vehicle to the side of, or off, the highway and stopping in a safe location.

Drivers who violate the new ban will face civil penalties of up to \$2,750 for each offense and disqualification for multiple offenses. Carriers that allow their driver’s to use hand-held phones will face a maximum penalty of \$11,000.



RULING IS “EFFECTIVE 1-3-12”