

HANDS FREE GEORGIA LAW



The New Law
How Will It be Enforced

WHAT YOU NEED TO KNOW

BASICALLY, the new law means you cannot operate a motor vehicle while operating a cell phone, holding a cell phone with your hand(s) or supporting a cell phone with another part of your body.



For some people this basic explanation is enough, but to understand the most important points of the law let's start with the definitions and then look at the rules.

Definitions:

“Stand-alone electronic device” – 40-6-241 (a)(1)

What it is:

a device that stores audio or video data files
to be retrieved on demand by a user. (Ex. – iPod.)

“Wireless Telecommunications Device” - 40-6-241 (a) (3)

What it is:

Cell phone
Portable telephones or text-messaging devices
Personal digital assistant
Stand-alone computer
GPS receiver
Any similar portable wireless device used to send/receive
communications or data

What it is NOT:

Radio
CB Radio OR CB Radio hybrid
Commercial two-way radio (or functional equivalent)
Subscription based emergency communications device
Prescribed medical device
Amateur or ham radio device
In-vehicle security, navigation, or remote diagnostics system.

For commercial motor vehicle operators ONLY: (40-6-241 (d))

May not use more than a single button to initiate a voice conversation

May not reach for a wireless telecommunications device in such a manner that they are:

- A. No longer in a seated driving position
- B. Or properly restrained by a seat belt

(Note – CMV provisions remain unchanged from previous law (former 4-6-241.2 (b)(2)) – avoids conflict with FMCSA regulations)

Exceptions for everybody (40-6-241 (g)):

- Reporting a traffic accident, medical emergency, fire, crime, or hazardous road condition;
- Employee / contractor of utility service provider ***acting within the scope of their employment while responding to a utility emergency***
- By a first responder (police, fire, EMS) during the performance of their official duties;
- When in a lawfully parked vehicle.

What is prohibited?

School Bus Operations (40-6-165):

A school bus driver may not use a wireless telecommunications device or two-way radio while loading or unloading passengers. (40-6-165 (d))

A school bus driver may not use a wireless telecommunications device while the bus is in motion, unless it is used in a manner similar to a two-way radio to allow communication with school or public safety officials. (40-6-165 (e))

Motor Vehicle Operations (40-6-241):

A driver may not **physically hold or support** a wireless telecommunications device or stand-alone computer with any part of their body. (40-6-241 (c)(1))

- **Exceptions – Earpiece, headphone, smart watch**

May not **Write, send, or read any text-based communication** (40-6-241 (c)(2))

- **Exceptions – Voice based communication automatically converted to written message**
- **Navigation / GPS**

May not **watch a video** (40-6-241 (c)(3))

- **▪ Exception – Navigation**

May not **record a video** (40-6-241 (c)(4))

- **▪ Exception – Continuous recording / broadcasting (dash cams)**