

## DRIVERS UNDER 18

Drivers under 18 years of age may NOT use a wireless telephone, pager, laptop, electronic communication, or mobile service device to speak or text message while driving in any manner, even hands-free!

Exception: According to Vehicle Code § 23124, drivers are permitted to call police, fire, or medical authorities in emergency situations.

The prohibition against using a handheld wireless telephone while driving is a PRIMARY violation for which a driver can be pulled over.

The law is strict for provisional drivers because statistics show that teen drivers are more likely to be involved in car accidents because they lack driving experience and tend to take greater risks. Teens are more vulnerable to driving distractions such as talking with passengers, eating or drinking, talking/texting on wireless phones, which all increase the chance of getting involved in serious accidents.

A parent/guardian may NOT give permission to use a wireless telephone while driving. Again, the only exception is in an emergency situation that requires one to call a law enforcement agency, a health care provider, the fire department, or other emergency entity.

Even if a parent or someone the age 25 years or older is in the car, you may not use your wireless telephone while driving except in emergency situations listed previously.

The law applies to all licensed drivers under 18 years of age, even if one is an emancipated minor.

This restriction will not appear on provisional licenses.



## IN CASE OF EMERGENCY DIAL 911

For non-emergencies, you may contact the Los Angeles Police Department at 1-877-ASK-LAPD (1-877-275-5273) or TTY 1-877-275-5273 for the hearing impaired.

You may also obtain additional crime prevention information by visiting the Los Angeles Police Department's Web site at [www.lapdonline.org](http://www.lapdonline.org) and click on "GET INVOLVED."

Should you have information regarding a criminal investigation or criminal activity, please contact your local police station or the LAPD crime hotline at 1-877-LAWFULL (1-877-529-3855).

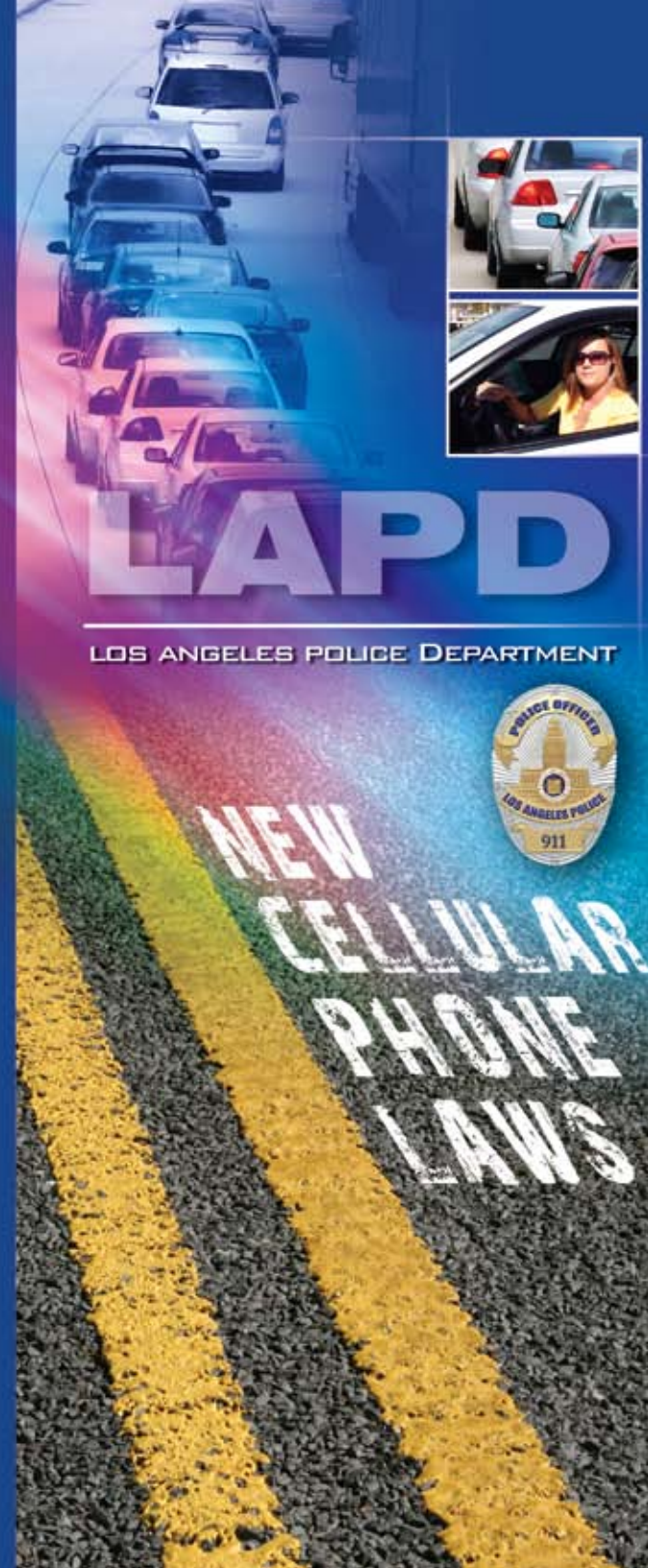


[WWW.LAPDONLINE.ORG](http://WWW.LAPDONLINE.ORG)  
[WWW.JOINLAPD.COM](http://WWW.JOINLAPD.COM)

Los Angeles Police Department  
Community Relations Section - Crime Prevention Unit  
150 North Los Angeles Street  
Los Angeles, CA 90012  
(213) 485-4101

Special thanks to:  
California Highway Patrol  
Wireless Links/Burbank Town Center

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## WIRELESS TELEPHONE LAWS

**Effective July 1, 2008, there will be two new Vehicle Code laws concerning the usage of wireless telephones while driving.**

### What is the difference between the laws?

Vehicle Code § 23123 – Prohibits all drivers from using a handheld wireless telephone while operating a motor vehicle. However, motorists 18 years and over may use a hands-free device.

Vehicle Code § 23124 – Drivers under 18 years of age may NOT use a wireless telephone or hands-free device while operating a motor vehicle.

## FREQUENTLY ASKED QUESTIONS CONCERNING THESE NEW LAWS:

**Q:** Can I be pulled over by a law enforcement officer for using my handheld wireless telephone?

**A:** YES. A law enforcement officer can pull you over for just this infraction.

**Q:** Are passengers affected by this law?

**A:** NO. The law only applies to the person driving a motor vehicle.

**Q:** Do these laws apply to out-of-state drivers whose home states do not have such laws?

**A:** YES.



**Q:** What are the fines if I am convicted?

**A:** The “base” fine for the FIRST offense is \$20 and \$50 for subsequent convictions. However, according to the Uniform Bail and Penalty Schedule, with additional penalty assessments, a first offense is \$76 and a second offense is \$190.

**Q:** Will I receive a point on my driver’s license if I’m convicted for a violation of the wireless telephone law?

**A:** NO. The violation is a reportable offense, but the Department of Motor Vehicles will not assign a violation point.

**Q:** Will the conviction appear on my driving record?

**A:** YES. However, the violation point will not be added.

**Q:** What if I need to use my telephone during an emergency and I do not have a hands-free device?

**A:** The law allows a driver to use a wireless telephone to make emergency calls to a law enforcement agency, a medical provider, the fire department, or other emergency service agencies.

**Q:** Can I use my wireless phone’s “push-to-talk” feature?

**A:** NO. The law does provide an exception for those operating a commercial motor truck or truck tractor (excluding pickup trucks), implements of husbandry, farm vehicle or tow truck, to use a two-way radio operated by a push-to-talk feature.

**Q:** What are the other exceptions?

**A:** Operators of an authorized emergency vehicle during the course of employment are exempt as are those motorists operating a vehicle on private property.



## DRIVERS 18 AND OVER

**Drivers who are 18 and over will be allowed to use a hands-free device to talk on their wireless phone while driving. The following facts apply to those motorists 18 and over:**

It is legal to use Bluetooth or other earpiece devices; however you cannot have BOTH ears covered.

The new law does not prohibit “dialing” from a wireless telephone, but drivers are strongly urged not to dial while driving.

The new hands-free law allows the use of the “speaker” phone function while driving.

The law does not specifically prohibit “text messaging” while driving. Although, an officer can conduct a traffic stop and issue a citation (to a driver of any age) if it is the officer’s opinion that a driver was distracted and not operating a vehicle safely.

Text messaging while driving is unsafe at any speed and is strongly discouraged.