**Hands-Free Cell Phone Talking Points**

**Key Messages**

**1) When you “Park the Phone,” you’ll save yourself from frustrating consequences and potential tragedy.**

* The hands-free cell phone law in Minnesota began Aug. 1, 2019.
  + In Minnesota, you can’t hold your phone while driving.
* While many Minnesotans went hands-free during the first several months of the law, law enforcement has seen some motorists slip back into old habits.
* The first ticket is more than $120, which includes the fine plus court fees. Subsequent tickets are more than $300 for fines and court fees.
* Those who receive a citation could also see increased insurance rates.
* Disobeying the law could lead to a crash, resulting in serious injuries or even death.

**2) Learn the law so you’re clear on what you can and can’t do.**

* The law allows a driver to use their cell phone to make calls, text, listen to music or podcasts and get directions, but only by voice commands or single touch activation without holding the phone. (Remember, hands free is not necessarily distraction free.)
* You may not hold your phone in your hand
* Hand-held phone use is allowed to obtain emergency assistance, if there is an immediate threat to life and safety, or when in an authorized emergency vehicle while performing official duties.
* A driver **may not** use their phone at any time for video calling, video live-streaming, Snapchat, gaming, looking at video or photos stored on the phone, using apps, reading texts and scrolling or typing on the phone.

**3) Education, awareness and enforcement are helping make a difference, but we all need to do our part to stay safe on the road.**

* The Minnesota Department of Public Safety is working to educate all Minnesotans about the law and to help contribute to a reduction in citations and crashes involving drivers on their mobile phones.
* As a state agency with the responsibility for traffic safety on Minnesota roads, DPS is leading the campaign in collaboration with traffic safety partners and law enforcement agencies concerned about the safety of all Minnesotans.
* Early indications show the hands-free law may be making a difference in distraction-related crashes.

|  |  |  |  |
| --- | --- | --- | --- |
| **Date Range** | **Total Fatalities** | **Distraction-Related** | **Percentage Distraction Related** |
| Aug 1, 2019-July 1, 2020\* | 324 | 19 | 6% |
| Aug 1, 2018-July 1, 2019 | 338 | 33 | 10% |
| Aug 1, 2017-July 1, 2018 | 316 | 30 | 9% |

\*preliminary

* During the first 11 months of the [hands-free law](https://dps.mn.gov/divisions/ots/hands-free/Pages/default.aspx), law enforcement cited 19,160 drivers for failing to comply with the law.

**Hands-Free Citations by Month - Aug. 1, 2019-June 30, 2020**

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Aug.** | **Sept.** | **Oct.** | **Nov.** | **Dec.** | **Jan.** | **Feb.** | **March** | **April** | **May** | **June** | **Total** |
| 2,3113 | 2,730 | 1,651 | 1,480 | 1,549 | 1,822 | 2,281 | 1,649 | 866 | 1,163 | 1,656 | 19,160 |

**\*\*57 percent of all citations are from those 21 to 40-years-old.**

**Hands-Free Cell Phone Law Do’s and Don’ts**

* You can’t hold your phone while driving.
* You can place your phone anywhere in the vehicle as long as you are not holding it with your hand. If mounted on the windshield, it must be in the lower part of the windshield, not obstructing your view.
* The new law allows a driver to use their cell phone to make calls, text, listen to music or podcasts and get directions, but only by voice commands or single-touch activation without holding the phone.
* Drivers may not use their phone at any time for video calling, video live-streaming, Snapchat, gaming, looking at video or photos stored on the phone, using non-navigation apps, reading texts and scrolling or typing on the phone.
* GPS devices and other systems that can only be used for navigation are exempt from the hands-free law. In-car screens and systems are also exempt. In both cases, most of these systems lock when the vehicle is moving.
* Hand-held phone use is allowed to obtain emergency assistance, if there is an immediate threat to life and safety, or when in an authorized emergency vehicle while performing official duties.
* More FAQs are available at [HandsFreeMN.org](https://dps.mn.gov/divisions/ots/hands-free/Pages/default.aspx)

**Distracted Driving is Dangerous Driving**

* More than 50,000 crashes were distracted driving-related from 2015-2019, contributing to one in seven crashes in Minnesota.
* In 2019, distracted driving contributed to 3,279 injuries and 32 deaths.
* Distracted driving contributes to an average of 40 deaths and 195 life-changing injuries a year (2015 – 2019).
* Distracted driving contributes to one in five crashes in Minnesota.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Distracted Driving** | **2015** | **2016** | **2017** | **2018** | **2019** | **Total** |
| **Fatalities** | **72** | **41** | **24** | **29** | **32** | **198** |
| **Serious Injuries** | **173** | **254** | **218** | **179** | **149** | **973** |

**Additional Supporting Information**

* It’s a myth to think we can multitask behind the wheel.
* Extra hands-free enforcement runs Aug. 1-8.
* Using a cell phone while driving, whether hands-free or hand-held, delays a driver’s reactions as much as having an alcohol-concentration level of .08 percent. (University of Utah)
* At 55 mph, texting and driving is like traveling the length of a football field blindfolded. (NHTSA)
* No one intends to seriously injure or kill someone by driving distracted. But good intentions don’t prevent crashes — smart choices do.
* If you injure or kill someone because of texting and driving, you can face a felony charge of criminal vehicular operation or homicide.
* Before heading out, do what you can to eliminate distractions — set your music, put your phone out of reach, figure out your directions, secure your drinks and avoid messy foods.
* Distracted driving crashes are likely under-reported due to law enforcement’s challenge in determining distraction as a crash factor.
* Sending or reading a text takes your eyes off the road for 5 seconds. (NHTSA)
* Text messaging increased the risk of a crash or near-crash by two times. (Virginia Tech Transportation Institute)
* Millennials nationwide are the biggest offenders when it comes to texting and driving, with more 16- to 24-year-olds handling phones while driving than any other age group. (NHTSA)
* Nationwide, handheld cellphone use while driving is highest among 15- to 29-year-old drivers, but female drivers are most at-risk for being involved in a fatal crash involving a distracted driver. (NHTSA)
* Nationwide, female drivers with a cell phone have been more likely to be involved in fatal distracted-driving crashes as compared to male drivers every year since 2012. (NHTSA)

**Types of Distraction**

* Visual — looking away from the road.
* Mechanical/Physical — taking hands off the wheel: manipulation of controls, such as dialing a cell phone or adjusting radio or music device.
* Cognitive — being “lost in thought,” or focusing on a conversation, resulting in withdrawing from situational awareness.
* Combination of the above — reading a map or texting while driving.

**Make the Right Choice**

* Cell phones - Put the phone down, turn it off or place it out of reach.
* Music and other controls - Pre-program radio stations and arrange music in an easy-to-access spot. Adjust mirrors and ventilation before traveling.
* Navigation - Map out the destination and enter the GPS route in advance.
* Eating and drinking - Avoid messy foods and secure drinks.
* Children - Teach children the importance of good behavior in a vehicle and model proper driving behavior.
* Passengers - Speak up to stop drivers from distracted driving behavior and offer to help with anything that takes the driver's attention off the road.

# # #