

FREQUENTLY ASKED QUESTIONS

? WHEN DOES THE OHIO HANDS-FREE LAW TAKE EFFECT?

The law takes effect April 4, 2023. Officers will issue warnings for six months before citations are given.

? WHAT DOES THE NEW LAW DO?

The new law generally prohibits adult drivers from using, holding, or physically supporting, with any part of their body an electronic wireless communications device. This was already illegal for Ohio drivers under 18, but previously, law enforcement could not pull over an adult driver distracted by an electronic device unless that driver also committed another traffic offense. The new law has made this behavior a primary offense, meaning that, in most circumstances, law enforcement can now immediately pull over any adult driver who is distracted by their phone.

The new law does not make any change to the restrictions over juvenile drivers who continue to be prohibited from using their phones or other electronic devices while driving for most any reason. Other distracted driving laws already on the books in Ohio also still apply. Full details on these established laws can be found at [PhonesDown.ohio.gov](https://www.ohio.gov/phonesdown).

? WHAT KINDS OF DEVICES ARE INCLUDED IN THE LAW?

“Electronic wireless communications devices” include:

- Wireless phones
- Text-messaging devices
- Personal digital assistants
- Computers, including laptops or tablets
- Devices capable of displaying a video, movie, broadcast television image, or visual image
- Other substantially similar wireless devices that are designed or used to communicate text, initiate or receive communication, or exchange information or data

? CAN I TALK ON MY CELL PHONE WHILE DRIVING?

If you are over the age of 18, you can talk on a cell phone while driving, as long as your call is hands-free or you are holding your phone to your ear for a conversation. These features can only be activated or deactivated verbally or with a single touch or swipe.

? CAN I HOLD MY CELL PHONE IN MY HAND WHILE DRIVING?

If you are over the age of 18, you can't hold or support your cell phone with any part of your body while driving, unless you are holding your phone to your ear for a conversation. The call can only be activated or deactivated verbally or with a single touch or swipe. Drivers under age 18 generally may not hold their phone to their ear at all.

CAN I TOUCH MY CELL PHONE TO DIAL A NUMBER OR RECEIVE OR END A CALL?

If you are over the age of 18, you can touch your phone to receive or end a call only with a single touch or swipe. You can't manually enter letters, numbers, or symbols into a device while driving. Drivers under 18 may not touch their phone at all while driving.

CAN I USE A GPS NAVIGATION DEVICE?

You can view or operate a navigation system while driving as long as you're not holding it in your hand or on your body while driving. You can only activate, modify, or deactivate it verbally or with a single touch or swipe.

Manually entering letters, numbers, or symbols is prohibited. It takes your eyes off the road and hands off the wheel for a longer period of time, which is dangerous for everyone.

CAN I DO THINGS LIKE STREAM VIDEOS, RECORD VIDEOS, BROWSE THE INTERNET, OR TALK ON FACETIME WHILE I DRIVE?

The new law prohibits not only holding or physically supporting devices, but also using them while driving. This could apply to activities like surfing the web, recording videos, livestreaming, playing games, online shopping, etc.

While there are exceptions to the law, using your device in any manner can be dangerous and a distraction. When it comes to using a device, even if you can, that doesn't mean you should. For more information on exceptions, see below.

WHAT ARE THE PENALTIES IF I RECEIVE A CITATION UNDER THE NEW LAW?

1st offense in two years: 2 points assessed to driver's license, up to a \$150 fine.

Completion of a distracted driving course can help avoid the fine and points.

2nd offense in two years: 3 points assessed to license, up to a \$250 fine.

3rd or more in two years: 4 points assessed to license, up to a \$500 fine, possible 90-day suspension of driver's license.

Fines doubled for offenses that occur in construction zones.

ARE THERE ANY EXCEPTIONS TO OHIO'S NEW DISTRACTED DRIVING LAW?

The new law lists 13 exceptions. Some of these exceptions include:

- Drivers reporting an emergency to law enforcement, a hospital, health care provider, fire department, or similar emergency entity.
- Drivers holding a phone to their ear only during phone conversations, if the call is started or stopped with a single touch or swipe.
- Drivers holding or using cell phones and other electronic devices while stopped at a traffic light or parked on a road or highway during an emergency or road closure.
- First responders (law enforcement, fire, EMS) using electronic devices as part of their official duties.
- Utility workers operating utility vehicles in certain emergency or outage situations.
- Licensed operators using an amateur radio.
- Commercial truck drivers using a mobile data terminal.

Full details on all 13 exemptions can be found at [PhonesDown.ohio.gov](https://phonesdown.ohio.gov).

? MY VEHICLE DOES NOT HAVE BLUETOOTH TECHNOLOGY/CAPABILITY. HOW CAN I COMPLY WITH THE LAW?

You may talk on the phone using speakerphone, or a headset, as long as you do not hold or support the phone with any part of your body, and you start and end calls verbally or with a single touch or swipe. Ohio law prohibits a driver from operating a vehicle while wearing earphones over, or earplugs in, both ears.

Many retailers offer a Bluetooth adapter for vehicles without Bluetooth or similar technology built into the vehicle. These adapters can be found at local retailers or online by searching “Bluetooth hands-free car kit” in an internet search engine.

? AM I REQUIRED TO USE A HANDS-FREE ACCESSORY, SUCH AS A MOUNT OR BRACKET?

The law simply states that a driver cannot use, hold, or support a mobile phone or device with any part of their body while driving. A phone can be left on a vehicle’s console, a front seat, back seat, mounted, etc. The choice is up to you.

The best way to go hands-free is by turning off your phone and placing it in your purse/bag, trunk, back seat, center console or glove compartment. That way it’s out of sight, out of mind. But the law does not limit where your phone can be placed, so long as you are not using, holding, or physically supporting it with any part of your body.

You can also silence notifications to avoid the temptation to reach for your phone.

? IS THERE ANY CIRCUMSTANCE IN WHICH A DRIVER UNDER THE AGE OF 18 CAN USE A DEVICE WHILE DRIVING?

While the new law applies to all Ohio drivers, another Ohio law makes it illegal for drivers under the age of 18 to use any electronic device while driving, even while sitting at a traffic light or in a traffic jam, or while using hands-free devices.

However, drivers under 18 can use their phone in the following situations:

- Using a navigational device, but only in hands-free or voice-activated mode. Teens can’t manipulate or input information into the device while driving.
- For emergency purposes, in making contact with law enforcement, a hospital, health care provider, fire department or similar emergency entity.
- If the driver is stationary and outside a lane of travel.

? HOW DOES THE NEW LAW APPLY TO AMATEUR RADIO DEVICES?

A two-way radio transmitter or receiver used by a person who is licensed by the Federal Communications Commission to participate in the amateur radio service is not considered an electronic wireless communications device. Therefore, the new law does not apply to those uses.

? WHAT OTHER LAWS SHOULD I BE AWARE OF FOR DISTRACTED DRIVING?

Check out Ohio Revised Code sections 4511.206, 4511.991, and 4511.84 for other laws that could apply. Visit [PhonesDown.ohio.gov](https://www.ohio.gov/phonesdown) for more information.