

Governor Baker Signs Legislation Requiring Hands-Free Use of Electronic Devices While Driving

Takes effect 90 days from passage...

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Governor Charlie Baker signs the "hands free" device legislation. (Courtesy of Rep. Tim Whelan)

BOSTON – Today, Governor Charlie Baker signed legislation to improve road safety in the Commonwealth, which stipulates that no motor vehicle operator may use electronic devices while driving unless the technology is being used hands-free. The legislation, which adopts recommendations from the Commonwealth's Strategic Highway Safety Plan, also sets forth penalties for violating the law and requires that law enforcement officers report data on violations so the information can be shared with the public.

Governor Baker was joined at the signing ceremony by Lt. Governor Karyn Polito, state leaders, officials with the National Transportation Safety Board, and representatives from advocacy groups, including, the Vision Zero Coalition, Safe Roads Alliance, LiveableStreets Alliance, WalkBoston,

MassBike and Boston Cyclists Union. The Governor acknowledged the work of stakeholders for efforts to get hands-free legislation passed and thanked the families of victims for sharing their personal stories during legislative hearings.

“Our Administration is committed to keeping the Commonwealth’s network of roads safe, and this legislation will substantially reduce distracted driving and hold operators accountable when they are looking at an electronic device instead of looking at the road ahead,” **said Governor Baker**. “We are especially grateful for the many advocates and families that passionately fought to bring this bill to fruition, are thankful for the Legislature’s collaboration on this bill and look forward to continued efforts to improve road safety in Massachusetts.”

“The Commonwealth and its communities have a shared obligation to keep roads safe for all users, and the new hands-free law is another important step as we seek to fulfill that responsibility,” **said Lt. Governor Polito**. “This commonsense legislation makes clear that in order to operate a vehicle safely, individuals must put safe driving first – ahead of reading emails or texting a friend.”

Under the new law, titled *An Act requiring the hands-free use of mobile telephones while driving*, operators of motor vehicles and bicycles cannot use an electronic device unless the device is being used in hands-free mode. Operators cannot read or view text or look at images or video, unless what is being viewed on the device is helping with navigation and the device is mounted in an appropriate location. They also cannot make phone calls unless they are able to do so without holding the phone, utilizing technology such as Bluetooth.

The new law permits the use of electronic devices if they are being used in response to an emergency, necessary for first responders to do their jobs. It also permits use if operators are stationary and not in active lanes of travel.

Punishment for violating the hands-free law includes a \$100 fine for a first offense, \$250 fine for a second offense and \$500 fine for a third or subsequent offense. A third or subsequent offense will count as a surchargeable incident. Operators who commit a second or subsequent offense are required to complete an educational program focused on distracted driving prevention.

“The hands-free legislation is now law in Massachusetts thanks to the tireless work of advocates and victims’ families,” **said Transportation Secretary and CEO Stephanie Pollack**. “Legislators were

moved to action after hearing the personal stories of people who have lost loved ones in traffic crashes. Advocacy groups were with the families every step of the way and marshaled support for this bill. I would like to thank the Vision Zero Coalition, Safe Roads Alliance, LiveableStreets, WalkBoston and many other pedestrian and bicycle advocacy groups for their efforts and I look forward to continuing our collaboration to get additional road safety bills passed during the next legislative session.”

“This important reform shows how seriously we take roadway safety,” **said Secretary of Public Safety and Security Thomas Turco.** “A distracted driver is a dangerous driver. This law will help keep drivers’ attention on the road and give law enforcement an additional tool to deter risky behavior.”

“As first responders to serious crashes across the state every day, Massachusetts State Troopers know too well the consequences of distracted driving, and we thank the Baker-Polito Administration and the Legislature for this important new tool to help us combat this dangerous behavior,” **said Colonel and Superintendent of the Massachusetts State Police Christopher S. Mason.** “Today is a day that will make our roads safer.”

“This legislation will protect pedestrians and drivers on our roads by keeping mobile devices out of the hands of those who operate vehicles,” **said House Speaker Robert A. DeLeo.** “Additionally, this legislation establishes a new implicit bias training program for any jurisdiction deemed by an analysis of data to have engaged in racial or gender profiling.”

“There are too many heartbreaking stories of those who lost loved ones to distracted driving, and so I’m proud to see this bill signed into law,” **said Senate President Karen E. Spilka.** “This bill strikes a balance between increased enforcement and increased transparency, requiring more demographic data to be released to the public than ever before so that we can ensure this law is being enforced equitably across the Commonwealth. I’d like to thank Senator Boncore, Senator Brownsberger, and everyone involved for their hard work to get this done.”

“This bill will improve the safety of our streets and promote transparency in law enforcement,” **said Senator Joe Boncore, Chair of the Joint Committee on Transportation.** “Distracted driving is an

epidemic, and this bill will save lives. Further, by updating our data collection laws, we will better understand and improve our communities' interactions with public safety officials.”

“The final bill is a major public safety improvement for the residents of Massachusetts,” **said Representative Bill Straus, Chair of the Joint Committee on Transportation.** “Distracted driving has caused too many unnecessary tragedies and I am pleased that our state will now join the ranks of other states who have adopted a ban on holding a phone while driving.”

Safe Roads Alliance President Emily Stein added, “It is such a relief to finally see a hands-free bill pass in our Commonwealth. It is a proud, emotional, and hopeful moment, and I ask that all drivers in Massachusetts pause for a moment too, and understand how distracted driving can impact so many precious lives on our roads. I fought for stronger distracted driving laws for my dad, who was killed in 2011, and also for the hundreds of lives that are lost, and the thousands of people who endure life-long injuries because of something so preventable. This law will save lives.”

“We are grateful for the leadership and partnership of the Baker-Polito Administration in moving this life-saving law forward,” **said Stacy Thompson, LivableStreets Alliance Executive Director.**

“This is an important step toward achieving Vision Zero in Massachusetts and we look forward to working with the Administration and Legislature to advance several other critical road safety bills in the new year.”

Stacey Beuttell, Executive Director of WalkBoston, added, “WalkBoston is pleased that this legislation has been signed; this law will encourage people driving to focus solely on that task, making streets safer for people walking & running in communities across Massachusetts. We're hopeful that this long-awaited signing will kick off a focus on traffic safety for this next legislative session.”

“We applaud the Legislature and Governor Baker's Administration for delivering this bill to the people of Massachusetts,” **said Becca Wolfson, Executive Director of Boston Cyclists Union.** “The regional rise in bike ridership means there are more vulnerable road users than ever in Massachusetts, and this law will curb distracted driving and make streets safer for everyone.”

The hands-free law takes effect ninety days after passage and has reporting requirements for law enforcement officers who make traffic stops. They must make note of data, including the age, race

and gender of individuals issued a warning or citation. The Registry of Motor Vehicles will house the data and the Secretary of Public Safety's office will annually release the information to the public. The new law sets forth a process in the event there are suspicions a law enforcement entity may be engaging in racial profiling.

The hands-free legislation is one proposal included in a **comprehensive road-safety package filed earlier this year by the Baker-Polito Administration**. That proposal includes measures to improve work zone safety, require the use of ignition interlock devices for first time offenders, and the creation of a framework to regulate new technology like electronic scooters and other low-speed mobility devices. For additional information, please visit:

<https://www.mass.gov/news/baker-polito-administration-files-legislation-to-improve-road-safety>