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PRESS RELEASE

Distracted Driving and the use of Electronic Wireless Communication Device Laws

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April is distracted driving month. **Distracted Driving** - including the use of **cell phones** - is a major contributor to automobile crashes. AAA reports 4,000 and 8,000 crashes related to distracted driving occur daily in the United States. In a year, they contribute to as many as one-half of the 6 million U.S. crashes reported annually.

The Redding Police Departments Traffic Unit would like to remind you that under existing law, which went into effect July 1, 2008, it is an infraction for any person to drive a motor vehicle while using a wireless telephone, unless that telephone is designed and configured to allow hands-free listening and talking operation, **and is used in that manner while driving**. This law prohibits a person from driving a motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication.

WHAT CONSTITUTES A VIOLATION?

There have been many questions as to what constitutes a violation. In summary:

A person (of any age) holding a cell phone in his/her hand and using the speaker phone, or as is most commonly seen, holding the cell phone to the ear (whether on speaker phone or not), would constitute a violations of 23123(a).

Juveniles are not allowed to use cell phones **at all** while driving with or without an ear piece, and whether or not on speaker phone.

Persons of any age shall not drive a motor vehicle while using an electronic wireless communications device to write, send, or read text-based communication.

"write, send, or read a text-based communication" means using an electronic wireless communications device to manually communicate with any person using a text-based communication, including, but not limited to, communications referred to as a text message, instant message, or electronic mail. Scrolling for a name or phone number in a cell phone, or entering a phone number does not constitute texting.

CALIFORNIA VEHICLE CODE LAW SUMMARY

23123. (a) A person shall not drive a motor vehicle while using a wireless telephone unless that telephone is specifically designed and configured to allow hands-free listening and talking, and is used in that manner while driving.

23123.5. (a) A person shall not drive a motor vehicle while using an electronic wireless communications device to write, send, or read text-based communication.

23124. (a) This section applies to a person under the age of 18 years. (b) Notwithstanding Section 23123, a person described in subdivision (a) shall not drive a motor vehicle while using a wireless telephone, even if equipped with a hands-free device, or while using a mobile service device.

Driver distractions are nothing new. They've been a topic of discussion since windshield wipers were introduced in cars during the early 1900s. Using a cellular phone while driving can increase your chances of being involved in a crash. Research also shows other distractions such as eating a sandwich, tending to small children, conversing with a passenger or gazing at objects outside the vehicle occur often and can be just as distracting as talking on a cell phone.

The Redding Police Department will be increasing traffic enforcement for cell phone violations throughout the City of Redding.

Be alert and drive safely.

Mike Woods
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