

April 2004

Use of Mobile Telephones in Cars

The legislation on using your mobile whilst driving was introduced on December 1st 2003. But many people seem to be a bit confused about **what** it actually means, **whom** it affects and **what** the penalties are. If you're one of them, the following frequently asked questions and answers should help put you straight.

- What exactly is the legislation again?** It is an offence for a member of the public to hold, or cradle in the neck, a mobile whilst driving. Or to use a device, even if fixed in a cradle, for sending data. This includes e-mails, text
- And you're sure this applies to me?** It applies to all of us. The drivers of all motor vehicles on the road, including cars, motorcycles, goods vehicles, buses, coaches and taxis.
- Will it cost me if I'm caught?** You may be initially fined £30. If the matter goes to court, this can be increased to a maximum of £1,000 or as much as £2,500 for drivers of lorries, buses and coaches.
- But it's OK if I'm stuck in a traffic jam?** No. The legislation applies while you're driving. And driving includes those times when you're stopped at the lights or are simply caught in traffic.
- So when is it all right to use my mobile in a car?** You're only permitted to use a mobile in a car if you're parked and the engine is switched off. However, phones don't have to be switched off. If the phone rings you could ask a passenger to take the call for you. Or failing that, divert calls to Voicemail and listen to your messages at the end of your journey.
- What about in an Emergency?** That's the only time when you can legally use your mobile when driving. You're allowed to call 999 (or 112) in a genuine emergency when it's unsafe or impractical to stop
- Dialling. Can I or can't I?** As long as you're not holding the phone i.e. it's in a cradle, you can dial. Alternatively, if your mobile has the capability, you could use voice activated dialling

This advice was recently issued by **O₂ UK Ltd.** to its customers, as it is obvious that a lot of drivers still do not comply. If your company Safety Policy and procedures have not been up-dated to make this legislation abundantly clear to all your employees who drive on business, then the company itself could be contravening the law!