

Chapter 11

2019 Regular Session

Subject Wireless communications device use while driving

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Overview

This act broadens limitations on using a wireless communications device while driving, to prohibit (with some exceptions) handheld cellular phone calls as well as handheld use of the device. Prohibited handheld device usage includes (1) engaging in cell phone calls, (2) accessing audio or video content, and (3) accessing games and other apps on the device. There are exceptions for activating or deactivating some features through a voice-activated or hands-free mode, some emergency situations, and in emergency vehicles (when used for official duties).

It also modifies what constitutes a wireless communications device, clarifies terms, and makes technical changes. Changes are effective August 1, 2019.

Summary

Section	Description
1	<p>Wireless communications device.</p> <p>Amends the definition of a wireless communications device (e.g., a cell phone or personal electronic device that can transmit data). Among the changes:</p> <ul style="list-style-type: none">▪ dedicated global positioning systems and some types of radios are not considered wireless communications devices (and therefore are not subject to the handheld device use ban); and▪ devices being used for navigation purposes (such as through a smart phone app) are treated as wireless communication devices. <p>Makes technical changes.</p>
2	<p>Use of wireless communications device.</p> <p>Prohibits specified handheld use of a wireless communications device when operating a motor vehicle.</p> <p>Subd. 1. Definitions. Defines and clarifies terms. Establishes that voice-activated or hands-free mode for a device allows an app or device functionality to be used without either hand, allowing for verbal or single touch activation and deactivation.</p>

Section	Description
	<p>Subd. 2. Prohibition on use; penalty. Prohibits a motor vehicle operator, when the vehicle is part of traffic, from using a wireless communications device to:</p> <ul style="list-style-type: none"> ▪ engage in cellular phone calls; and ▪ access various content on the device, including video, audio, and apps. <p>This is in addition to a previous ban on electronic messaging.</p> <p>Modifies the fine for second and subsequent offenses to be a set amount instead of calculated based on the statewide payables list. (The resulting fine amount is unchanged.)</p> <p>Subd. 3. Exceptions. Modifies exceptions to the ban, to:</p> <ul style="list-style-type: none"> ▪ allow hands-free device use for calling (which is in addition to hands-free electronic messaging permitted prior to the law change); ▪ permit global positioning system features to be used, if it is in a hands-free manner without requiring typing; and ▪ permit device use for audio content, if it is in a hands-free manner without requiring scrolling or typing. <p>Prevents using hands-free mode for video content (including video calling and live-streaming), gaming, and reading text messages.</p>
3	<p>Effective date.</p> <p>Makes the act effective August 1, 2019, for violations on or after that date.</p>



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