



New Legislation on Mobile Phones and Driving

All staff should be aware that the Government has revised the legislation relating to the use of mobile phones while driving. From 27th February 2007, it will be a specific offence to use a hand-held phone, or similar device, when driving. The penalty will be a £60 fixed penalty or up to £1,000 on conviction in court (£2,500 for drivers of goods vehicles, buses or coaches) plus 3 penalty points on the licence. Hand-free phone equipment is not prohibited by the new regulation, but these are still

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In exceptional traffic jams, such as a lengthy stoppage on a motorway, it would be clear that someone wasn't driving if the engine was off.

Q11. Are there any exemptions?

Yes. There is an exemption for calls to 999 (or 112) in genuine emergencies where it is unsafe or impractical to stop. There is also an exemption for the use of 2-way radios (see **Q14** below).

Q12. Will I be able to cradle a phone between my ear and shoulder?

No. The offence applies if a phone has to be "held" while making or receiving a call. Therefore you should not hold a phone between your ear and shoulder - or anywhere else - when driving.

Q13. Are employers guilty of an offence if their employees use a hand-held phone w

No. The offence is only committed if the employee is driving a motor vehicle.

