

## Act Requiring the Hands-Free Use of Mobile Devices Went into Effect Yesterday

February 25, 2020 | Articles

On November 25, 2019, the Commonwealth of Massachusetts approved Chapter 122 of the Acts of 2019. Under this Act, operators of motor vehicles cannot use handheld electronic devices while driving.

The Act specifically holds that no operator of a motor vehicle shall use a mobile electronic device unless the device is being used in a hands-free mode. No operator of a motor vehicle shall read or view text images or video displayed on a mobile electronic device provided, however, that an operator may view a map generated by a navigation system application “on a mobile electronic device that is mounted on or fixed to a vehicle’s windshield, dashboard or center console in a manner that does not impede the operation of the motor vehicle.”

These prohibitions do not apply to emergency first responders or if the vehicle is parked and not in a travel lane. The Act also does not prohibit emergency use including if the vehicle is disabled or if there is a need for police, fire, or medical services for the personal safety of the operator or passengers.

A violation of the law is subject to a \$100 fine for first offense; \$250 fine for second offense; and a \$500 fine for third and subsequent offenses. In addition, for a second offense, the Registrar of Motor Vehicles is charged with requiring violators to attend a training program.

Employers should review their handbooks and prohibit employees from using hand-held devices while operating an employer’s motor vehicle.

The Act went into effective on February 23, 2020. If you have any



questions on this Act, please feel free to contact a member of the Labor and Employment Law Practice Group.