

## What Happens If I'm Pulled Over?



In the event that you are pulled over for holding a handheld personal communications device, act in the same manner you would for any traffic stop. You will NOT be asked to hand the device over to the officer. Keep in mind that WHAT you are doing with the device is irrelevant, it is the act of HOLDING the device while driving that is illegal.

**Phone Down.**

**It's The Law.**

## Breaking The Law Will Cost You

A person who violates **46.2-818.2** is subject to a fine of \$125 for the first offense and \$250 for the second and subsequent offenses. A person who is convicted of reckless driving who was also in violation of 46.2-818.2 when committing the offense can be fined up to \$2,500, up to 12 months in jail, and up to a six month license suspension, but shall be fined a mandatory minimum fine of \$250. A person who violates this law while driving in a highway work zone shall be fined \$250.



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**PhoneDown.org**



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**New Virginia Law Effective  
January 1, 2021**



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## Phone Down.

## It's The Law.

Effective January 1, 2021, it will be illegal to hold a handheld personal communications device (e.g., your smartphone) while driving a moving motor vehicle on Virginia highways. This new law is one of many ways the state is buckling down on distracted driving.

## What's Off-Limits?

While driving, it will be illegal to hold a mobile device in your hand while doing some activities, such as:

- Dialing a phone number;
- Sending a text message;
- Updating/browsing social media;
- Video conferencing;
- Shopping online;
- Watching movies;
- Checking the weather;
- Playing games;
- And more.

## The Five Exceptions

1. The operator of any emergency vehicle while he/she is engaged in the performance of his/her official duties;
2. An operator who is lawfully parked or stopped;
3. Any person using a handheld personal communications device in order to report an emergency;
4. The use of an amateur or a citizens band radio; or
5. The operator of any Department of Transportation related vehicle during the performance of traffic incident management services.



## Can I Still Use Bluetooth?

This new law does not prohibit making or receiving phone calls using "hands-free" technology, such as Bluetooth or integrated systems within the motor vehicle. Simply said, you cannot hold your phone while driving for any reason. If you must use your device, we encourage you to pull over to a safe location and park your car before handling.



## Know The Facts

Virginia is the 22nd state in the Nation to address handheld phone use while driving.

"Each day in the United States, more than nine people are killed and more than 1,153 people are injured as a result of distracted driving."  
- **The Centers for Disease Control**

"80% of all crashes and 65% of all near-crashes involve driver inattention within three seconds of the crash." - **Virginia Tech Transportation Institute (VTI)**

Virginia drivers observed in a 2018 Insurance Institute for Highway Safety (IIHS) roadside survey were 57% more likely to be manipulating a cellphone than drivers in a 2014 survey.

"Texting is by far the most egregious form of distracted driving and increases your crash risk by 2300% because it involves all three kinds of distraction – manual, visual, and cognitive."  
- **Virginia Tech Transportation Institute (VTI)**

In a Liberty Mutual survey, 80% of teens reported that they viewed APP use while driving as "not distracting." - **Liberty Mutual Research Institute for Safety**

"Motorists with smartphones use handheld devices in 88 out of every 100 trips. Therefore, Zendrive estimates that there are about 600 million trips involving distracted driving in the United States every day." - **Zendrive**