

Final Rule Posted Banning Handheld Cell Phone Use by Truck Drivers

FMCSA & PHMSA published a joint final rule restricting the use of cellular phones by CMV drivers. The rule restricts the use of handheld mobile telephones and sets penalties for violators. The rule is effective January 3rd, 2012, though compliance dates will vary by states as each state conducts their own adoption process.

Interstate truck and bus drivers will be prohibited from using handheld cell phones while operating their vehicles, under a final joint rule announced from the Federal Motor Carrier Safety Administration and the Pipeline and Hazardous Materials Safety Administration.

Drivers who violate the restriction will face federal civil penalties of up to \$2,750 for each offense and disqualification from operating a commercial motor vehicle for multiple offenses. States will suspend a driver's commercial driver's license after two or more serious traffic violations. Commercial truck and bus companies that allow their drivers to use hand-held cell phones while driving will face a maximum penalty of \$11,000. Approximately 4 million commercial drivers would be affected by this final rule, according to the agencies. It will go into effect 30 days after publication in the Federal Register.

While driver distraction studies have produced mixed results, FMCSA says research shows that using a handheld cell phone while driving requires a commercial driver to take several risky steps beyond what is required for using a hands-free mobile phone, including searching and reaching for the phone. Commercial drivers reaching for an object, such as a cell phone, are three times more likely to be involved in a crash or other safety-critical event. Dialing a handheld cell phone makes it six times more likely that commercial drivers will be involved in a crash or other safety-critical event.

In September 2010, FMCSA issued a regulation banning text messaging while operating a commercial truck or bus and PHMSA followed with a companion regulation in February 2011, banning texting by intrastate hazardous materials drivers.

The reason for this ruling is simple, to save lives and reduce accidents. As professional drivers, you should all change you behavior now – stop or minimize distractions in your cab and focus on the task at hand, safe driving.