





**California Office of Traffic Safety Fact Sheet  
Wireless Telephone Laws that go into effect on July 1, 2008.**

 <b>Minors (under 18 years of age)</b> <b>VC §23124</b>	 <b>Adult Drivers 18 years of age or older</b> <b>VC §23123</b>
<b>The new law prohibits driving a motor vehicle while using a wireless telephone or mobile service device.</b>	<b>The new law prohibits driving a motor vehicle while using a wireless telephone unless a hands free device is used.</b>
<p><b>Wireless Telephone:</b> A wireless telephone is defined as specialized mobile radios, broadband personal communication devices, handheld devices, pagers, or two-way messaging, and texting devices.</p>	
<p><b>Enforcement begins July 1, 2008</b></p> <p><b>Secondary Law:</b> If stopped by a peace officer for a Primary Law Violation, you can be cited additionally for the use of a wireless telephone or other mobile service device.</p> <p><b>Violation:</b> <b>Non moving violation</b> The violation is a reportable offense that goes on your record. However, DMV will not assign a violation point.</p> <p><b>Fine:</b> \$20, first offense plus administrative fees. \$50, second or subsequent offenses plus administrative fees.</p> <p><i>Courts can impose additional administrative fees.</i></p> <p><b>Provisional License:</b> The restriction will not appear on my provisional license.</p> <p><b>Exception:</b> Use permitted in emergency situations only. (To law enforcement, health care provider, fire department).  While operating a vehicle on private property.</p>	<p><b>Enforcement begins July 1, 2008</b></p> <p><b>Primary Law:</b> A peace officer can stop a driver if he/she suspects the driver is using a wireless telephone without a hands free device.</p> <p><b>Violation:</b> <b>Non moving violation</b> The violation is a reportable offense that goes on your record. However, DMV will not assign a violation point.</p> <p><b>Fine:</b> \$20, first offense plus administrative fees. \$50, second or subsequent offenses plus administrative fees.</p> <p><i>Courts can impose additional administrative fees.</i></p> <p><b>Exceptions:</b> Emergency situations, for example: calls to law enforcement, health care provider, fire department.  Emergency service providers operating an authorized emergency vehicle during the course of employment.  While operating a vehicle on private property.  Only class "A" or "B" licensees operating a truck tractor as defined in Vehicle Code §655 or motor truck VC §410 are allowed to use a "push-to-talk" feature. Exemption does not apply to drivers of pickup trucks with commercial plates.</p>