



Traffic Safety Bulletin

NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY

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HAND-HELD CELL PHONE/TEXTING **PRIMARY OFFENSE** • MARCH 1, 2008

On November 2, 2007, Governor Jon S. Corzine signed into law a bill which amends N.J.S.A. 39:4-97.3 to make the use of a wireless hand-held telephone or electronic communication device by the operator of a moving motor vehicle a primary offense. The complete text of the law amending N.J.S.A. 39:4-97.3 can be found at P.L. 2007, c.198.

OVERVIEW OF AMENDED LAW

1. It is a **primary offense** for a motorist to talk or text message with a hand-held wireless telephone or electronic communication device while driving.
2. Use of a hand-held wireless telephone or electronic communication device includes, but is not limited to:
 - A. Talking or listening to another person.
 - B. Text messaging or sending an electronic message.
3. There is a fine for violating this statute; no points will be assessed for the offense.
4. The operator of a motor vehicle may use a hand-held wireless telephone while driving with one hand on the steering wheel only if:
 - A. The operator has reason to fear for his/her life or safety, or believes that a criminal act may be perpetrated against him/herself or another person.
 - B. The operator is using this device to report to appropriate authorities: a fire; traffic crash; serious road hazard; medical or hazardous material emergency; or another motorist who is driving in a reckless, careless or otherwise unsafe manner or who appears to be driving under the influence of alcohol or drugs.
5. The amended law takes effect on March 1, 2008.
6. The Division of Highway Traffic Safety, in partnership with the Motor Vehicle Commission, will conduct a public education campaign beginning in mid-February.



Office Of The Attorney General
Division Of Highway Traffic Safety

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