

Quick reference guide to mobile phone offences in the ACT

Operating a vehicle requires your full attention. Using a mobile phone or other device while driving is distracting and extremely dangerous. ACT Policing actively targets people illegally using their mobile phones and devices while driving.

Tough new penalties now apply for texting, using social media or the internet while driving. If you're caught, you'll face a fine of \$511 and the loss of four demerit points. If you're a P plater, you could lose your licence for three months for a single offence.

The penalties for using devices while driving are (as at 1 January 2017):

Offence	Infringement	Demerit points
Driver using mobile phone for messaging, social networking, mobile application or accessing internet	\$511	4
Driver using mobile phone	\$416	3
Drive without proper control of vehicle	\$257	-

The definition of *mobile phones* for offences includes any other wireless hand-held device designed or capable of being used for telecommunication – such as iPods, iPads and other tablet computers which may be used for telecommunications.

The below “do’s” and “don’ts” of using a mobile phone when driving applies to all drivers and riders including private vehicle operators, commercial vehicle operators, heavy vehicle operators and public transport vehicle operators (i.e. bus drivers, taxi drivers, Uber drivers).

What you can do with a mobile phone when driving:

Make or receive phone call –

Where the mobile phone is secured in a mounting affixed to the vehicle, the driver may touch the phone or use hands-free to make or receive a call while the vehicle is moving or is stationary but not parked.

Where the mobile phone is not secured in a mounting affixed to the vehicle, the driver may make or receive a call via Bluetooth or voice activation, but must not at any time press anything on the body of the phone or otherwise manipulate any part of the body of the phone.

Operate navigational or intelligent highway and vehicle system functions –

The driver may touch the phone to operate navigational or intelligent highway and vehicle system functions while the vehicle is moving or is stationary but not parked, provided the phone is secured in a mounting affixed to the vehicle.

Stream, play or listen to music or audio files –

The driver may stream, play or listen to music or audio files on a mobile phone while driving provided the driver is not holding or otherwise required to touch the phone at any time.

What you cannot do with a mobile phone when driving:

It is illegal for drivers and riders to use mobile phones for anything other than for making or receiving a call, for navigational purposes and to stream, play or listen to music or audio files.

In particular, drivers are not permitted to use a mobile phone for texting and audio texting, video messaging, emailing, using social media, taking photos, playing games, changing music, using applications (other than for navigational purposes) and taking photos – even if it is securely mounted and the vehicle is in stationary traffic or stopped at traffic lights.

Other important information:

- Use of mobile phones when driving is distracting. Drivers and riders must have full control of the vehicle and pay attention to road conditions at all times. A driver can be liable for a \$257 fine for driving without proper control of the vehicle.
- Motorists using mobile phones for GPS navigation are encouraged to rely on the GPS' spoken directions to avoid the need to look at the phone when driving.
- Driver may use any function of an in-built vehicle touch screen, provided it does not cause a distraction to driving.
- If you need to make or receive a call while driving, keep the conversation short and end the call if it is distracting you from driving. If you have a collision and are using a hands-free phone, you could still be charged with various offences depending on the circumstances. Stop and park safely if you need to use your mobile phone.
- There is no exemption for calls to Triple Zero (000).
- A provisional driver could face an immediate licence suspension for just one infringement for using a mobile phone to text or access social media while driving.
- Further information about driver distraction can be found on [ACT Policing website](#).