

ENGLAND

Mass. Governor Signs Distracted Driving Bill

BY STEVE LEBLANC
Associated Press

BOSTON — Massachusetts has joined every other New England state by banning drivers from using hand-held cellphones behind the wheel.

Republican Gov. Charlie Baker signed the bill into law Monday. It takes in effect 90 days.

"Operators driving a car should not be holding a phone to text, check social media or email," Baker said moments after signing the measure. "When a driver on an electronic device hits something or someone, that's not an accident. That's a crash that was avoidable."

The law calls for a \$100 fine for a first offense, \$250 for a second offense, and \$500 for subsequent offenses.

Drivers will still be allowed to use hands-free cellphones. Massachusetts already banned texting while driving.

The law also requires the Registry of Motor Vehicles to collect

data from traffic stops, including the driver's age, race and gender, without identifying the driver, to help identify police agencies that may be engaging in racial profiling.

Emily Stein, whose father was struck and killed by a distracted driver in 2011, hailed the new law even as she recalled others who have been killed by drivers looking at their cellphones.

"Time does not heal all the pain that distracted driving has caused our community," said Stein, who pushed for the law. "But together we have been able to take steps to reduce that preventable pain."

The law would still allow drivers to view maps generated by navigation systems as long as the electronic device is mounted on the car's windshield or dashboard.

The legislation also states that a driver using a cellphone in response to an emergency can use evidence of the emergency — such as a disabled vehicle, accident or medical emergency — as an affirmative defense.

State lawmakers overwhelmingly approved the measure this month.

The law seeks to curb racial or gender profiling by requiring the collection of data from traffic stops — not just the race, age and gender of the driver, but also the date and time of the offense, the municipality where it occurred, whether there was a search as a result of the stop and whether it resulted in a warning, citation or arrest.

That information will be turned over to a university or nonprofit organization to be analyzed. The state must release a public report each year based on the data.

If a police agency is found to have engaged in racial or gender profiling, they would be required to gather more detailed traffic stop data and undergo implicit bias training.

Twenty states and the District of Columbia prohibit drivers from using hand-held cellphones while driving, according to the National Conference of State Legislatures.

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A driver uses her cell phone while driving in Portland, Maine. A bill to ban the use of hand-held cellular devices while driving in the state went into effect on Thursday. (AP Photo/Robert F. Bukaty)

Tougher new distracted driving ban in effect

PORTLAND, Maine (AP) — A new Maine law that prohibits the use of hand-held phones and other devices while driving is now in effect, and police will be keeping an eye out for violations starting Thursday.

The new law adds restrictions to the state's rules against distracted driving. It states that no one can operate a vehicle "while using, manipulating, talking into or otherwise interacting with a hand-held electronic device or mobile telephone." The law calls for a first-offense fine of no less than \$50, but a judge with the ability to set the fine has put it at \$250. Fines will climb with further offenses.

"The troopers will be looking for violations, and this will be one of them," Maine State Police spokesman Stephen McCausland said.

Police agencies in the state have been proactive in getting the word out and assisting drivers with the change, McCausland said. He said the new rules will mean converting to newer technology that enables a driver to use a phone while keeping both hands on the wheel.

The new rules allow drivers to use mobile phones and devices in hands-free mode. They also state that drivers may use a device to communicate with law enforcement or emergency services if they are facing an immediate threat to their health or wellbeing.

The rules also state that a person who has pulled over to the side of the road and has stopped moving and "can safely remain stationary may use, manipulate, talk into or otherwise interact with a hand-held electronic device or mobile telephone."

That means a driver must pull over to plug an address into a GPS rather than attempting to do so while driving, for example.

Democratic Sen. Bill Diamond of Windham issued a statement Wednesday that said distracted driving has reached "epidemic proportions on Maine roads." He cited statistics from the AAA Foundation for Traffic Safety that said more than half of drivers have said they've used a hand-held cellphone while driving at least once in the past 30 days.

Other bills that go into effect Thursday include a requirement that most children who ride in cars do so in rear-facing car seats until they are 2 years old. Another law prohibits electronic smoking devices at schools.

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Student among 3 hurt in

