

Cell Phone and Texting Laws

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The following chart outlines all state-level cell phone and text messaging laws. Some local jurisdictions may have additional regulations. Enforcement type is shown in parenthesis.

- **Handheld Cell Phones:** 7 states (Calif., Conn., Md., N.J., N.Y., Ore. and Wash.), D.C. and the Virgin Islands prohibit **all drivers** from using handheld cell phones while driving.
 - Except for Maryland, all laws are **primary enforcement**—an officer may cite a driver for using a handheld cell phone without any other traffic offense taking place.
- **All Cell Phone Use:** No state bans all cell phone use (handheld and hands-free) for all drivers, but many prohibit all cell phone use by certain drivers:
 - **Novice Drivers:** 25 states and D.C. ban all cell phone use by novice drivers.
 - **School Bus Drivers:** Bus drivers in 18 states and D.C. may not use a cell phone when passengers are present.
- **Text Messaging:** 25 states, D.C. and Guam ban text messaging for all drivers. 20 states, D.C., and Guam have primary enforcement. In the other five, texting bans are secondary.
 - **Novice Drivers:** An additional 9 states prohibit text messaging by novice drivers.
 - **School Bus Drivers:** 2 states restrict school bus drivers from texting while driving.
- Some states such as Maine, N.H. and Utah treat cell phone use and texting as part of a larger distracted driving issue. In Utah, cellphone use is an offense *only* if a driver is also committing some other moving violation (other than speeding).

Crash Data Collection: Many states include a category for cell phone/electronic equipment distraction on police accident report forms. Recently proposed federal legislation would require states to collect this data in order to qualify for certain federal funding.

Preemption Laws: Many localities have passed their own distracted driving bans. However, some (for example, Fla., Ky., La., Miss., Nev., and Okla.) prohibit localities from enacting such laws.

State	Handheld Ban	All Cell Phone Ban		Text Messaging Ban			Crash Data
		School Bus Drivers	Novice Drivers	All Drivers	School Bus Drivers	Novice Drivers	
Alabama			16, and 17 wth intermediate license <6 months (Primary) (eff. 7/10)			16, and 17 wth intermediate license <6 months (Primary) (eff. 7/10)	
Alaska				Yes (Primary)	Covered under all driver ban		Yes
Arizona		Yes (Primary)					
Arkansas	18 - 20 years old (Primary)	Yes (Primary)	<18 (Secondary)	Yes (Primary)	Covered under all driver ban		Yes
California	Yes (Primary)	Yes (Primary)	<18 (Secondary)	Yes (Primary)	Covered under all driver ban		Yes
Colorado			<18 (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Connecticut	Yes (Primary)	Yes (Primary)	Learners Permit and <18 (Primary)	Yes (Primary)	Covered under all driver ban		
Delaware		Yes (Primary)	Learner's permit and intermediate license holders (Primary)			Learner's permit and intermediate license holders (Primary)	Yes
D.C.	Yes (Primary)	Yes (Primary)	Learners Permit (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Florida							
Georgia		Yes (Primary)					Yes

Guam				Yes (Primary)	Covered under all driver ban	
Hawaii						
Idaho ¹						See footnote
Illinois ²	See footnote	Yes (Primary)	<19 (Primary)	Yes (Primary)	Covered under all driver ban	Yes
Indiana			<18 (Primary)			<18 (Primary) Yes
Iowa			Restricted or Intermediate Licenses (Primary) (eff. 7/10)	Yes (Secondary) (eff. 7/10)	Covered under all driver ban	Yes
Kansas			Learner or Intermediate License (Primary)			Learner or Intermediate License (Primary) Yes
Kentucky		Yes (Primary)	<18 (Primary) (eff. 7/13/10)	Yes (Primary) (eff. 7/13/10)	Covered under all driver ban	
Louisiana		Yes (Primary)	Yes (Secondary) (eff. 4/10)	Yes (Secondary)	Covered under all driver ban	Yes
Maine ³			<18 (Primary)			<18 (Primary) Yes
Maryland	Yes (Secondary) (eff. 10/10)		<18 w/ Learner or Provisional License (Secondary)	Yes (Primary)	Covered under all driver ban	Yes
Massachusetts		Yes (Primary)				Yes
Michigan ⁴			See footnote	Yes (Primary) (eff. 7/10)	Covered under all driver ban	Yes
Minnesota		Yes (Primary)	<18 w/ Learner or Provisional License (Primary)	Yes (Primary)	Covered under all driver ban	Yes
Mississippi						Learner or Provisional License (Primary)
Missouri						≤21 (Primary)
Montana						Yes
Nebraska			<18 w/ Learners or Provisional License (Secondary) (eff. 7/10)	Yes (Secondary) (eff. 7/10)	Covered under all driver ban	Yes
Nevada						Yes
New Hampshire ⁵				Yes (Primary)	Covered under all driver ban	
New Jersey	Yes (Primary)	Yes (Primary)	<21 w/ GDL or Provisional License (Primary)	Yes (Primary)	Covered under all driver ban	Yes
New Mexico	In State vehicles					Yes
New York	Yes (Primary)			Yes (Secondary)	Covered under all driver ban	Yes
North Carolina		Yes (Primary)	<18 (Primary)	Yes (Primary)	Covered under all driver ban	
North Dakota						Yes
Ohio						
Oklahoma		Yes (Primary) (eff. 11/10)			Yes (Primary) (eff. 11/10)	Yes

Oregon	Yes (Primary)		<18 (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Pennsylvania							Yes
Rhode Island		Yes (Primary)	<18 (Primary)	Yes (Primary)	Covered under all driver ban		Yes
South Carolina ⁶							See footnote
South Dakota							Yes
Tennessee		Yes (Primary)	Learners Permit or Intermediate License (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Texas ⁷		Yes, w/ passenger ≤17 (Primary)	Intermediate Stage, 1st 12 mos. (Primary)		Yes, w/ passenger ≤17 (Primary)	Intermediate Stage, 1st 12 mos. (Primary)	Yes
Utah ⁸	See footnote			Yes (Primary)	Covered under all driver ban		Yes
Vermont							
Virgin Islands	Yes						Yes
Virginia		Yes (Primary)	<18 (Secondary)	Yes (Secondary)	Covered under all driver ban (Primary)	Covered under all driver ban	Yes
Washington	Yes (Primary) (eff. 6/10)		Learner or Intermediate Stage (Primary) (eff. 6/10)	Yes (Primary) (eff. 6/10)	Covered under all driver ban		Yes
West Virginia			Learner or Intermediate Stage (Primary)			Learner or Intermediate Stage (Primary)	
Wisconsin				Yes (Primary) (eff. 12/10)	Covered under all driver ban		
Wyoming				Yes (Primary) (eff. 7/10)	Covered under all driver ban		Yes
Total	7 + D.C., Virgin Islands Primary (6) Secondary (1)	18 + D.C. All Primary	25 + D.C. Primary (19 + D.C.) Secondary (6)	25 + D.C., Guam Primary (20 + D.C., Guam) Secondary (5)	2 Primary	9 All Primary	34 + D.C., Virgin Islands

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Idaho has a "Distraction in/on Vehicle (List)" attribute as part of its Contributing Circumstances element, and officers are supposed to list the distractions.

² Illinois bans the use of cell phones while driving in a school zone or in a highway construction zone.

³ Maine has passed a law making it against the law to drive while distracted in the state.

⁴ In Michigan, teens with probationary licenses whose cell phone usage contributes to a traffic crash or ticket may not use a cell phone while driving.

⁵ Dealt with as a distracted driving issue; New Hampshire enacted a comprehensive distracted driving law.

⁶ South Carolina has a Distracted/inattention attribute under Contributing Factors.

⁷ Texas has banned the use of hand-held phones and texting in school zones.

⁸ Utah's law defines careless driving as committing a moving violation (other than speeding) while distracted by use of a handheld cellphone or other activities not related to driving.

Sources: [Insurance Institute for Highway Safety \(IIHS\)](#) and [State Highway Safety Offices](#).

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