



Q&A

Effective **March 12, 2017, drivers in Mont Belvieu are going hands– free.**

On that date it will be unlawful to use a wireless communication device (such as a cellphone) while operating a motor vehicle on a public roadway within the city limits unless the device is being used as a hands-free device or in conjunction with a hands-free device.

Q. What is the “use” of a wireless communication device?

A. “Use” of a device includes making phone calls, composing, sending, viewing text messages, emails, pictures, videos, games or accessing the internet or websites.

Q. What is a hands-free device?

A. It can be speakerphone capable or bluetooth of the phone itself or another piece of equipment that allows the device to be operated hands free.

Q. Can I use my phone while waiting at a light or stuck in traffic?

A. No, if in a lane of traffic, you must use a hands-free device. Only when you’re parked in a lawful manner and location, can a device be used without a hands-free device.

Q. Are there exceptions to the hands-free requirement?

A. The law provides a number of exemptions and defenses:

- When the device is affixed to the vehicle of use as a GPS system;
- When the operator is an authorized emergency vehicle while operating in an official capacity;
- When the operator is licensed by the FCC and is operating a radio frequency device other than a wireless communication device.
- It is also a defense to prosecution if the device is used to make an emergency call.

Q. What is the penalty for violation?

A. Violations are a Class C misdemeanor, punishable with a fine up to \$200.

Signs will be going up around the City in the coming weeks to allow drivers to get used to the law before the effective date. To see a copy of the full ordinance, please visit www.montbelvieu.net.