



# Mobile phones and other devices.

## Taxi Compliance Officer Information Sheet 1

It is unlawful to use/do anything which will prevent you having full control of your vehicle. This could cover wearing flip flops, having a PDA in the windscreen or using a mobile phone. Doing so could lead to being prosecuted for dangerous driving, driving without due care and attention/careless and inconsiderate driving or not being in proper control of your vehicle. As a licensed driver, your actions will come under increased scrutiny. In addition to any penalty from the Courts or Police, your Council may also take action if they consider you to be no longer a Fit and Proper person to hold a licence. A conviction for using a mobile phone whilst driving will normally mean a licence won't be granted for a number of years.

### What is “driving” ?

In the information below the word “driving” means more than just being in charge of the vehicle whilst it is moving. It includes waiting at traffic lights, stuck in traffic and when the autostop is engaged. It may also include when you are waiting for a passenger, such as parked by the kerb with the engine running - but that would be for a Court to decide on based on the exact circumstances.

### Where can I put my device ?

Many drivers put their devices in cradles attached to the windscreen and it is more difficult for drivers who have multiple devices. However, it is an offence to drive and not have a full view of the road and traffic ahead.

It is better to not have your device in the windscreen/window area at all. But if that's not possible, it is recommended that cradles are not placed within Zone A of the windscreen (the strip above the steering wheel of 290mm centred on the wheel). Do not put over or above airbags. Mount your device low down on your windscreen to the far right to maximise your view of the road. If this isn't possible, opt for the lowest point in the middle of the windscreen

- Regulation 104 of the Road Vehicles (Construction and Use) Regulations 1986 - 3 DVLA points and £100 fine.

### Can I use my mobile phone whilst driving ?

It is an offence to use a **hand-held** mobile telephone whilst driving FOR ANY PURPOSE EVEN WHEN STATIONARY IN TRAFFIC. You won't be prosecuted if you are making a 999 call and it is unsafe to stop, or if you are using it to remotely legally park your vehicle.

You can use your phone (for example to accept jobs) or make calls when it is in a cradle/handsfree. But even if your phone is in a cradle, if your use of it means you are not in proper control of the vehicle you may still commit an offence.

- Regulation 104 Road Vehicles (Construction and Use) Regulations 1986 - 3 DVLA points and £100 fine.
- Regulation 110 Road Vehicles (Construction and Use) Regulations 1986 - 6 DVLA points and £200 fine.

- Section 41D Road Traffic Act 1988 – 3 to 6 DVLA points and a discretionary disqualification.

## What about DashCams ?

The rules about not blocking your view of the road ahead, also apply to cameras in the vehicle.

## Paying by phone (for example at the Suspension Bridge)

You may hold your phone to make contactless payments provided you are stationary and the goods/services you are paying for are immediately available.

You may also hold your phone to take contactless payments from your customers providing you are stationary and it is safe to do so.

## Can I watch videos on my phone ?

It is an offence to watch videos on your device whilst driving. Even if you are only listening to the music track, it is still an offence to have the video playing.

- Regulation 109 of the Road Vehicles (Construction and Use) Regulations 1986 - £50 fine

## What is the police advice ?

There is a substantial body of research showing that using a mobile phone whilst driving, even legally via hands-free, is a considerable distraction and greatly increases the risk of a driver being involved in an accident. This is because of the mental distraction and the driver having to divide their attention between taking part in a phone conversation and driving. Therefore, we would suggest that you don't use a mobile phone/device, even hands-free, whilst driving.

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*This is one of a series of information sheets produced for the benefit of Driver, Vehicle and Operator licence holders by Police Constable 4645 Patrick QUINTON, Taxi Compliance Officer, The Bridewell Police Station, Bristol, BS1 2AA*

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*To join the "Taxi Cop" WhatsApp group, and get information about PC Quinton's work, news updates and licensing/law updates, send a message to 07469 400832. Your details will not be visible to any other members of the group and your privacy is protected.*

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