

**Connecticut Hand's-Free Law Impacts Employer Liability**

**October 2005**

Effective October 1, 2005, individuals may no longer use “hand-held mobile telephones” while driving in Connecticut. (CT Public Act No. 05-220). A “hand held mobile telephone” is defined as a phone requiring at least one hand to talk or listen. Using a hand to activate, deactivate or initiate a function of the phone is still permitted. In addition, calls made in emergency situations to 911 operators, hospitals, physicians, fire officials or police departments are exempt from the Act.

To converse while driving, a “hands free mobile telephone,” defined as a phone with an internal feature or function, or one with an attachment which permits the user to talk and listen without the use of either hand, must be used. Also banned is the use of “mobile electronic devices” such as text messaging, paging, or PDA devices, and laptop computers while a vehicle is in motion.

Violations can result in fines of not more than \$100, and first time violators may escape the fine by providing proof of acquisition of a “hands-free accessory” prior to the imposition of the fine. Although the penalties are relatively minor, employers should implement, communicate and enforce policies to insure employees follow the law’s requirements while driving on company business. Accident victims in cases where employees are found to have violated the law may more easily be able to prove negligence, and recover damages from the company.

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