

Managers' Briefing

Highway Code Update – new laws on mobile phone use



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Background

From 25 March 2022, new [Highway Code](#) rules came into force.

It is now illegal to use a hand-held mobile phone when driving - **except in limited circumstances**, following amendments to the Road Vehicles (Construction and Use) Regulations.

The changes were supported by 81% of respondents in a public consultation in 2021.

Your role

Please share the following key messages with all your staff **as soon as possible**.

The information is of particular importance to any members of your team who drive a council vehicle – this includes the loan of an electric pool car.

Key messages

1. Important information

This change in law means that you **must not use a mobile device in your hand** for any reason - whether you are online or offline.

This includes when:

- supervising a learner driver
- stopped at traffic lights
- queuing in traffic
- driving a vehicle equipped with stop/start technology
- holding and using a device that's offline or in flight mode.

The only time you are allowed to use your mobile phone while in a vehicle is **when the vehicle is parked up and the engine is switched off**.

You will receive a fine of £200 and 6 penalty points if you are caught using a handheld device when driving.

2. Exemptions

There are limited exemptions. Such as if you need to make an emergency call to **999** or **112** or when making a phone contactless payment at a road toll. However, this would **not** apply in Glasgow as there are no toll payments in force.

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3. Further Information

It is important that **everyone** – not just learner drivers – understand their responsibility for the safety of other road users.

Many of the rules in the Highway Code are legal requirements, and if you disobey these rules you're committing a criminal offence. For example, being stationary in traffic counts as driving, therefore use of a hand-held mobile phone in queue, jams and at traffic lights is illegal.

All staff who use and drive a council vehicle are reminded that they **must make sure** that they:

- co-operate with management in all matters of health and safety
- carry out all necessary pre-drive checks
- do not drive when affected by alcohol, drugs or medicines
- participate in any relevant training
- report any accidents, incidents or near misses to their line manager
- use vehicles in accordance with the instructions given
- report all motoring offences to their line manager including private use.

More detailed information on The Highway Code, road safety and vehicle rules can be found [here](#).

In particular [Rule 149 on the use of Mobile Phones and In Vehicle Technology](#).