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INLAND TRANSPORT COMMITTEE

Working Party on Road Traffic Safety
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**REVISION OF THE CONSOLIDATED RESOLUTIONS ON
ROAD TRAFFIC (R.E.1) AND ON ROAD SIGNS AND SIGNALS
(R.E.2)**

Use of mobile phones while driving

Note by the secretariat

At its thirty-sixth session, the Working Party requested the small group (Germany, Romania and Spain, chaired by Israel) to prepare a proposal to amend R.E.1 focusing on the problem of mobile phones and a proposal to amend the Vienna Convention targeting the problem more generally and taking into account the variety of equipment which could distract drivers.

A proposal by the secretariat for R.E.1 appears below. It is based on information on national requirements transmitted by Governments (TRANS/WP.1/2000/21 and TRANS/WP.1/2001/4) and on the note transmitted by the small group which analysed responses (TRANS/WP.1/2001/20).

Use of mobile phones while driving

1. In general terms, it can be argued that the use of mobile phones while driving is already regulated in the Vienna Convention on Road Traffic by Article 8.5 which states that "Every driver shall at all times be able to control his vehicle or to guide his animals" and Article 13.1 which states that "Every driver of a vehicle shall in all circumstances have his vehicle under control so

as to be able to exercise due and proper care and to be at all times in a position to perform all manoeuvres required of him”.

2. It is clear that the use of a non hands-free mobile phone requires the use of at least one hand and that the use of just one hand while driving is detrimental to road safety. Mobile phone use may also lead the driver to be distracted and to lose control of the vehicle.

3. In light of the above-mentioned requirements in the Vienna Convention and the danger which non hands-free mobile phone use may pose to road safety, it is recommended that the use of a mobile phone while driving should be discouraged unless it is a hands-free set and unless it can be situated in a holding device in the immediate vicinity of the steering wheel within the driver's normal field of vision. Phones which are installed in the vehicle may be permitted. The wearing of headphones attached to a mobile phone, which prevent the driver from hearing what is going on in surrounding traffic, should not be permitted. It is recommended that the World Forum for the Harmonization of Vehicle Regulations (WP.29) be asked to provide advice on the design and positioning of holding devices for hands-free mobile phones and connected earphones and on the permanent installation of telephones in vehicles.

4. If a driver has a non hands-free mobile phone in the car, he should switch it off during the duration of his journey so that he cannot receive incoming calls or entrust its use to another person travelling in the vehicle. If travelling alone, he should ensure that any non hands-free mobile phone in the vehicle is switched off and is transported in the glove compartment or another location not within his reach.

5. If a driver needs to use the non hands-free mobile phone on his journey he should stop in a place where so doing does not pose any danger to other traffic. On a motorway, a driver may use a non hands-free mobile phone while parked in a motorway service area, for example. He should not use a non hands-free mobile phone while stopped on the hard shoulder of the motorway unless he is calling for breakdown or other assistance. On other roads, a driver may stop to use a non hands-free mobile phone in a layby or a parking area, for example.

6. National authorities should consider the introduction of legislation preventing the use of non hands-free mobile phones while driving and/or the organization of campaigns outlining their danger to road safety and discouraging their use while driving.

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