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## **OLR Bill Analysis**

### **HB 5463**

#### ***AN ACT CONCERNING HIGHWAY SAFETY.***

#### **SUMMARY**

This bill revises and updates the state's distracted driving law. Among other things, it explicitly prohibits:

1. driving while a video or moving image (other than GPS) is visible to the driver,
2. driving while holding or supporting a mobile electronic device with any part of the body, and
3. failing to maintain a proper lookout.

The bill reorganizes and makes various minor, technical, and conforming changes to the distracted driving law, including merging current definitions into two terms ("mobile electronic device" and "hands-free mode"), deleting redundant language, and making technical corrections to statutory references. Broadly, these changes simplify and update the law to reflect current technology and its use.

The bill also makes it a per se reckless driving violation to drive in a highway work zone while engaged in any activity prohibited under the state's distracted driving law.

EFFECTIVE DATE: October 1, 2026

#### **DISTRACTED DRIVING REVISIONS**

##### ***"Mobile Electronic Device" and "Hands Free Mode"***

The bill combines current law's definitions, eliminates redundant ones, and generally updates them to reflect current device and vehicle technology and how it is used (for example, voice-activated vehicle technologies).

Under current law, a “mobile electronic device” is any handheld or portable electronic equipment capable of providing data communications between two or more people, including a number of devices specified in the law. The bill (1) eliminates the definition of mobile telephone and other associated definitions and instead includes mobile telephone as one of the specified devices and (2) adds equipment to display a video or moving image to the list of devices included. It also clarifies that the law is not limited to only those listed in the definition.

The bill defines the term “hands free mode” and eliminates current law’s definitions for handheld mobile telephone, hands-free accessory, and hands-free mobile telephone. “Hands-free mode” means the operation of a mobile electronic device where a user engages in voice communication or receives audio without touching or holding the device, other than to activate or deactivate it with a single touch or swipe. Compared to the definitions the bill eliminates, this new definition focuses on how a person uses the technology, as opposed to the technology’s features.

### ***Prohibited Activities***

Currently, the activities prohibited under the distracted driving law generally focus on how a person is using a device. More specifically, it prohibits using a mobile telephone to engage in a call or using a mobile telephone or mobile electronic device to type, send, or read a text message. It also (1) presumes that a driver who holds a phone near their ear is engaged in a call and (2) allows an exception for using hands-free mobile telephones.

The bill revises these prohibited activities by generally eliminating those under current law and instead prohibiting (1) holding or supporting a mobile electronic device with any part of the body; (2) using a mobile electronic device (unless it is in hands-free mode); or (3) reading, viewing, or typing a text message or other nonvoice message or communication on a mobile electronic device.

The bill retains (directly or indirectly) existing law’s exceptions to these prohibited activities (such as emergency calls) and special

circumstances (such as prohibiting young drivers from using devices even hands-free).

***Driving with Video in Driver's View.*** The bill additionally prohibits driving while a video or moving image is visible to the driver, in the normal driving position, on a mobile electronic device, installed screen, or other similar device. This prohibition does not apply to maps generated by GPS systems or applications, as long as the device or screen is mounted or attached to the vehicle's windshield, dashboard, or center console in a way that doesn't impede driving. (Presumably, this activity is already prohibited under current law, to the extent that it is considered "using" a mobile electronic device.)

***Failure to Maintain Proper Lookout.*** Existing law also prohibits engaging in any activity that is not related to driving and that interferes with safe driving. The bill additionally prohibits failing to maintain a proper lookout while driving.

#### **DISTRACTED DRIVING IN A WORK ZONE**

Existing law prohibits driving recklessly for the surroundings and conditions (such as road geometry or weather), and specifies certain circumstances that constitute reckless driving per se, including driving more than 85 m.p.h.

The bill expands these per se reckless driving violations to include driving a motor vehicle in a highway work zone while engaging in any activity the state's existing distracted driving law prohibits.

Under existing law, reckless driving is an unclassified misdemeanor, subject to a fine, up to 30 days (first violation) or up to 364 days (subsequent violations) imprisonment, or both. The fine for reckless driving in a work zone is \$200-\$600 for a first violation and up to \$1,200 for subsequent violations. The fine for distracted driving in a work zone is \$400 for a first violation, \$750 for a second violation, and \$1,250 for subsequent violations. These fine amounts are two times the standard amount because both violations are subject to the existing law doubling fines for various driving violations committed in a work zone (CGS §

14-212a).

Under the bill, a person cannot be prosecuted for both a reckless driving violation and distracted driving violation for the same offense. Under existing law, distracted driving violations are processed by the Centralized Infractions Bureau and may be processed by mail or online. Reckless driving is a crime and generally requires the violator to appear in court.

## **BACKGROUND**

### ***Related Bill***

SB 484, favorably reported by the Judiciary Committee, (1) adds video converters to the definition of a mobile electronic device and (2) makes distracted driving in a work zone a per se reckless driving offense.

## **COMMITTEE ACTION**

Transportation Committee

Joint Favorable

Yea 34    Nay 1    (03/16/2026)