

MOBILE PHONES TOOLBOX TALK



SUBJECT	RULES FOR USING MOBILE PHONES WHILE DRIVING
REFERENCES	PowerPoint Presentation + fact sheets

UNDERSTANDING WHEN YOU CAN AND CANNOT USE YOUR MOBILE PHONE WHILST DRIVING

Facilitator:

The toolbox talk will cover:

- Understand when you can and cannot use your mobile phone whilst driving.
- The government-imposed laws and restrictions for the use of mobile phones whilst driving as defined in the Australian Road Rules, Regulation 300.

Note: Restrictions for Learner and P1 drivers under 25 **must** not use hands-free, wireless headsets or a mobile phone's loudspeaker function.

Additional information you may want to use as part of your presentation is a YouTube video by [NSW Road Transport](#)

A copy of Regulation 300 is in the references section, which is part of Australian Road Rules that this information is resourced from.

Fact Sheets

- Making the Call on Road Safety
- Mobile phones and distraction

UNDERSTANDING WHEN YOU CAN AND CANNOT USE YOUR MOBILE PHONE WHILST DRIVING

In the present-day culture, the use of mobile phones enables you to maintain communication with work, family and friends.

Did you know that research¹ shows that if you are travelling 60 kilometres an hour and you look at your phone for two seconds, this means you are travelling blind for about 33 metres – a lot can happen in 33 metres. The Australian Automobile Association found “that using your mobile phone while driving is as, if not more dangerous than drunk driving. It is the main contributing factor in around 16% of serious casualty crashes on the road.”

As a driver, regardless of whether you drive a car or heavy vehicle, it is essential to understand the basic guidelines for the lawful use of mobile phones. The Australian government has imposed laws and restrictions on the use of mobile phone under Australian Road Rules, Regulation 300 that prohibits drivers from using their mobile phones unless their vehicle is parked, stopped or they are using a hands-free function. Even if you are stuck in traffic or driving down a quiet residential street, the law dictates you need to park first before using your mobile.

Under Regulation 300 the “use” of mobile phone includes:

- Illegal use of a mobile phone if you are holding it in your hand even if you are not making a call or texting
- Resting on any part of your body (eg: your lap or between shoulder and the ear)
- Using your hands to move the phone from one position to another
- Turning the phone on or off
- Touching or holding the phone while texting



Simply put, a driver must not use a mobile phone held in the driver's hand or touch it whilst driving.

¹ www.safewise.com/au/laws-for-mobile-phone-use-while-driving/

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It is important to note that using a hands-free mobile phone kit does not ensure safety while driving, as a driver may still become distracted and inattentive, posing a hazard on the road.

The risk of using a mobile phone while driving is:

- Physical distraction due to touch and handling the phone while driving
- Visual distraction in having to take your eyes off the road
- Cognitive distraction like having a conversation and driving at the same time and not being aware of your surroundings

Any of these actions can cause you to:

- make riskier decisions, eg: not focused to allow enough room to turn into a street or change lanes.
- Delayed responses to road conditions, eg: failing to notice change in traffic lights.
- Slower and less control when braking, eg: if a car brakes in front of you and you have not left enough space to stop abruptly.
- Wandering out of your lane, not aware of the road changes, eg: when driving on a straight road, you may need to steer around corners and curves.
- Not being alert to your surroundings, eg: spending less time checking your mirrors.

You can use your mobile phone safely when stopped to:

- pay for goods and services, for example at a drive through
- gain access to or from a road-related area, such as a car park
- present a digital driver licence or other document to police when asked
- get a card or money out of a phone wallet for the previous listed purposes.

You can also use your phone when safely parked. Parked means stopped with the intention of staying at that place.

An example of mobile phone distraction involves a driver reaching for their mobile phone, causing a brief lapse in focus on the road and potentially driving without complete concentration or visibility.

The delayed reaction time could put pedestrians crossing the road at risk, heightening the chances of colliding with another vehicle or striking a road barrier.

This could result in severe injuries or fatalities for the driver, other road users, or the public. Furthermore, the accident may lead to damage to equipment, the road, and infrastructure.

If you hold a full driver's licence, you are allowed to use your mobile in the car but you must meet the strict requirements set out by the mobile phone rules set out below:

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- The mobile phone must be secured in a cradle affixed to your car or if not in a cradle it can be operated without touch, ie: hands free through Bluetooth, and only to:
 - Make or receive audit phone calls
 - Use audio functions
 - Navigate

The use of a mobile phone for emailing, texting, gaming, taking photos or videos, or any other function is strictly prohibited.

Exemptions to this rule are emergency vehicles, police vehicles or the driver is exempt from this rule under another law of this jurisdiction.

Note: Restrictions for Learner and P1 drivers under 25 must not use hands-free, wireless headsets or a mobile phone's loudspeaker function. If your phone is in a pocket of your clothing or a pouch you are wearing, you must not use it in any way. This includes touching it, looking at it or operating it with your voice.

Passengers of learner and P1 provisional drivers are also banned from using a mobile phone's loudspeaker function.

To prevent road accidents, each state and territory in Australia has implemented strict mobile phone laws. Each state and territory have the same basic rules but with some slight variations. The penalties in terms of demerits and fines for using a mobile phone while driving differ depending on the location in Australia. Check out the penalties for each state and territory below (note these are subject to change):

State or Territory	Penalty
NSW	Fine: \$362 (\$481 in a school zone) Demerits: 5 points
QLD	Fine: \$1,161 Demerits: 4 points
NT	Fine: \$500 Demerits: 3 points
WA	Fine: \$500 - \$1,000 Demerits: 3 - 4 points
SA	Fine: \$592 Demerits: 3 points
ACT	Fine: \$514 - \$632 Demerits: 3 - 4 points
TAS	Fine: \$390 Demerits: 3 points
VIC	Fine: \$545 Demerits: 4 points

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REFERENCES:

[Australian Road Rules & Regulation 300](#)



Regulation 300 Use
of Mobile Phones.doc

https://www.legislation.sa.gov.au/_legislation/lz/c/r/australian%20road%20rules/current/2014.205.auth.pdf

Safewise – What’s the law for using a mobile phone while driving in Australia?

<https://www.safewise.com/au/laws-for-mobile-phone-use-while-driving/>

NHVR – COR Driver distraction

<https://www.nhvr.gov.au/safety-accreditation-compliance/chain-of-responsibility/regulatory-advice/driver-distraction>

[Mylicence.sa.gov.au](http://mylicence.sa.gov.au)

<https://www.mylicence.sa.gov.au/safe-driving-tips/mobile-phones>

Fact Sheet

Truck Drivers & Mobile Phones Fact Sheet (ATA, AMTA, NTC) (attached)

Transport for NSW – Mobile phones and distraction (attached)

YouTube videos:

<https://www.transport.nsw.gov.au/roadsafety/topics-tips/mobile-phones>

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Items Raised/Corrective Action	Action By	Action completed	
		Sign off	Date

DATE:.....

FACILITATOR SIGNATURE.....



TRUCK DRIVERS & MOBILE PHONES Fact Sheet

Making the Call on Road Safety

As a professional driver, the use of mobile phones allows you to keep in contact with work, family and friends. Following these simple rules for the safe and legal use of mobile phones will also help to ensure you return home safely.

Professional truck drivers often need to keep in contact while out on the road. Whether it be updates with the operations staff, a quick call from the family at home or one of your fellow drivers on the highway, your mobile phone is an increasingly useful tool in your working day.

Recent amendments to the Australian Road Rules (Rule 300) clarified that a driver must not use a mobile phone held *in the driver's hand*. You should check with relevant States and Territories on the implementation status of the amended road rule.

The use of hands-free phone kits does not guarantee safety in all conditions. Safety must always remain your first priority. Education is required to remind drivers not to be distracted by mobile phones.

There are ten simple tips you can follow to maintain safer mobile phone use while on the road:

- 1. Use message services to answer calls:** If a call is unnecessary or you consider it unsafe to answer at the time, don't answer the call. Let it divert to voicemail or an answering service and return the call later when the truck is parked safely.
- 2. Plan your trip and make calls when parked:** Whenever possible plan your trip and make calls when the truck is safely parked.
- 3. Pull over safely if you stop to make a call:** If you stop to answer, make a call or retrieve a message, pull over carefully in a safe area, such as a heavy vehicle rest area. Don't stop where you could be a hazard to other vehicles, pedestrians or yourself.



"Professional drivers have a responsibility to use hands-free phones safely. The photo shows an integrated microphone and loudspeaker available with Volvo FM and Volvo FH models."

4. **Always use hands free:** In Australia it is illegal to use a mobile phone while driving unless you use a hands free in-vehicle-kit or portable hands free device. There are a range of pre-fitted and retrofit truck kits available, or if you have a portable hands free device, make sure it is set up and working before you start to drive. A hands free device can reduce the physical effort to make and receive calls; however, it alone doesn't make using a mobile phone while driving safe.
5. **Tell callers you're driving while on the phone:** Always let the person you're speaking to know that you are driving. This lets them know you may not always respond immediately and reminds you that driving safely is your first priority. "Hello, I'm in the truck at the moment..."
6. **Never take notes, look up phone numbers, read or send SMS:** Always keep both eyes on the road and never take notes during a call. Don't read or send SMS (Short Messaging Service) while driving. If required, use a directory assistance service which connects you directly to the number and don't look up phone numbers from your phone's memory.
7. **Don't call in heavy traffic, poor road conditions or bad weather:** Don't accept or make calls if traffic, weather or road conditions could make it unsafe to do so. Also, even if the traffic conditions are light, always tell the person you are speaking to that you're driving and you may have to end the call if driving conditions change.
8. **Don't engage in complex or emotional conversations:** If a call becomes complex or emotional tell the person you are speaking to that you are driving and end the call. Complex and emotive conversations on a mobile phone and driving don't mix – they are distracting and can be dangerous.
9. **Use your phone's features to reduce the effort to make a call:** Before using your phone while driving, carefully read your phone's instruction manual and learn to use the speed dial and redial features. If possible, use a phone with voice activated dialling and automatic answering features to reduce the effort to make and receive a call.
10. **In emergencies use your phone to call for help:** Dial '000' or '112' in case of fire, traffic accident, road hazard or medical emergency. Both '000' and '112' are free calls and will connect you to emergency services.



Disclaimer

This fact sheet is provided to assist truck drivers with general information regarding the use of mobile phones while driving. Users of the fact sheet are required to comply with all State, Territory and Federal laws and rules covering the use of motor vehicles, including the use of mobile phones while driving. These safety tips should be read in conjunction with those laws and rules and do not replace or modify those laws or rules.

Circumstances may also exist where use of a mobile phone is unsafe. Users must use their own judgement and these safety tips do not suggest that the use of a mobile phone while driving is necessarily appropriate.

Users of this fact sheet must make their own enquiries and where necessary obtain specific advice in relation to any of the activities referred to in the fact sheet.

The organisations involved in the preparation and dissemination of this fact sheet accept no responsibility for the consequences of any decisions that users may make as a result of any information they have gained from the fact sheet.

A joint initiative of:



www.atatruck.net.au



www.amta.org.au



www.ntc.gov.au

Mobile phones and distraction



At 60 km/h, if you look at your phone for just two seconds, you travel 33 metres, virtually blind. A short lapse in concentration can have serious consequences.

Driving is a complex task. Anything that takes your mind or eyes off the road, or your hands off the wheel, not only compromises your safety, but that of everyone else on the road. No phone call, email, message or post is worth risking your life or someone else's.

Being distracted increases your chances of having a crash. It slows down your reaction times and it puts you in danger of not seeing other road users, important traffic devices like traffic lights and stop signs, animals or hazards.

What are the rules?

In NSW, using a handheld mobile phone while driving is illegal. A mobile phone can only be used in limited circumstances whilst driving. This table provides the rules on when you can legally use your mobile phone:

The facts

- ▶ In NSW from 2017–2021, there were 109 casualty crashes involving a driver/rider using a handheld mobile phone, resulting in 13 deaths and 163 injuries. Mobile phone use is likely to be underreported in crash data due to the difficulty in obtaining evidence.
- ▶ Taking your eyes off the road for more than two seconds doubles your risk of crashing.
- ▶ Research has found handheld mobile phone use while driving is associated with at least a four-fold increase in the risk of having a casualty crash, and texting increases the crash risk even further.

Use or Function	Unrestricted licence holders	Learner and Provisional (P1 and P2) licence holders
Make or receive audio phone call	Yes, ONLY if the phone is either: <ul style="list-style-type: none"> ▶ Secured in a mobile phone holder fixed to the vehicle; or ▶ Can be operated without touching any part of the phone (e.g. Bluetooth controls) 	No
Use music or audio functions		No

Use or Function	Unrestricted licence holders	Learner and Provisional (P1 and P2) licence holders
Use as a driver's aid (for example, navigation, Speed Adviser app or dispatch system)	Yes, ONLY if the phone is secured in a mobile phone holder fixed to the vehicle.	No
Access a Digital Driver Licence	Yes, ONLY after a police officer has asked you to do so.	
Use wallet functions (make a transaction, show a coupon or voucher, or to access an area)	Yes, ONLY if the vehicle is: <ul style="list-style-type: none"> ▶ Stationary; and ▶ Off the road (such as in a carpark, driveway or drive-through) 	

All other functions including video calling, texting, social media, web browsing and photography are prohibited. It is also illegal to hold and use a mobile phone at any time while driving or riding. This includes when waiting at traffic lights or stopped in traffic. To legally use a hand-held mobile phone your vehicle must be parked out of the line of traffic.

Enforcement

Mobile phone detection cameras operate across NSW targeting illegal phone use. The program includes both fixed and transportable trailer-mounted cameras. Independent modelling has shown these cameras should prevent around 100 fatal and serious injury crashes over five years.

The penalty for offending drivers in NSW is five demerit points and a substantial fine. The penalty increases to 10 demerit points during double-demerit periods.

How can I stay safe?

Mobile phones

- ▶ Aim to avoid using a mobile phone at all when driving.
- ▶ Pull over somewhere safe and park your vehicle out of the line of traffic if you need to use your phone.
- ▶ Consider using the 'Do not disturb' or 'Do not disturb while driving' function on your phone, or have your calls automatically diverted to voicemail.
- ▶ Put your phone out of sight (for example, in the glovebox) and on silent so it is not a distraction.
- ▶ If driving for work, let your manager and colleagues know not to call you whilst you are driving.
- ▶ If in-car phone use is necessary, put your phone into a mobile phone holder, or connect your phone to the vehicle's Bluetooth.
- ▶ If you call someone and realise they are driving, arrange to call back later.

Other distractions

- ▶ You must not drive with an animal on your lap. It's best to restrain animals either in a safe carrier or strapped into a harness.
- ▶ You must not drive with a visual display unit operating if any part of the screen is visible to you from your normal driving position, unless you are an unrestricted licence holder and it is being used as a driver's aid (for example, navigation or Speed Adviser app) and is either integrated into the vehicle design or is securely mounted to the vehicle.
- ▶ Put objects (such as a bag) out of reach.
- ▶ Drive a car that has the latest safety features such as automatic headlights and windscreen wipers, voice-activated controls for audio, navigation and air conditioning, and a heads-up display.

More information

Visit the Transport for NSW road safety website (roadsafety.transport.nsw.gov.au/stayingsafe/mobilephones) for information on driver distraction, for the latest mobile phone rules including penalties, and other important road safety topics.

If you're driving for work, visit the Towards Zero website (towardszero.nsw.gov.au/workplace) to complete the Road safety: Everybody's business online learning course to learn about road safety risk and how you can stay safe on NSW roads.



Scan the QR code for more information on road safety



REFERENCE: [Australian Road Rules \(legislation.sa.gov.au\)](http://legislation.sa.gov.au)

Australian Road Rules—30.3.2024

Part 18—Miscellaneous road rules Division 1—Miscellaneous rules for drivers

300—Use of mobile phones

- (1) The driver of a vehicle must not use a mobile phone while the vehicle is moving, or is stationary but not parked, unless—
- (a) the phone is being used to make or receive an audio phone call and the body of the phone—
 - (i) is secured in a mounting affixed to the vehicle while being so used; or
 - (ii) is not secured in a mounting affixed to the vehicle and is not being held by the driver, and the use of the phone does not require the driver, at any time while using it, to press any thing on the body of the phone or to otherwise manipulate any part of the body of the phone; or
 - (ab) the phone is being used as a driver's aid and—
 - (i) the body of the phone is secured in a mounting affixed to the vehicle while being so used; and
 - (ii) the use of the phone does not require the driver, at any time while using it, to press anything on the body of the phone or otherwise to manipulate any part of the body of the phone; or
 - (b) the vehicle is an emergency vehicle or a police vehicle; or
 - (c) the driver is exempt from this rule under another law of this jurisdiction.

Offence provision.

Note—

Emergency vehicle, park and police vehicle are defined in the dictionary. Examples of driver's aids—

1. Closed-circuit television security cameras.
2. Dispatch systems.
3. Navigational or intelligent highway and vehicle system equipment.
Rearview screens.
4. Ticket-issuing machines.
5. Vehicle monitoring devices.

- (2) For the purposes of this rule, a mobile phone is secured in a mounting affixed to the vehicle if, and only if—
- (a) the mounting is commercially designed and manufactured for that purpose; and
 - (b) the mobile phone is secured in the mounting, and the mounting is affixed to the vehicle, in the manner intended by the manufacturer.
- (3) For the purposes of this rule, a driver does not use a phone to receive a text message, video message, email or similar communication if—
- (a) the communication is received automatically by the phone; and
 - (b) on and after receipt, the communication itself (rather than any indication that the communication has been received) does not become automatically visible on the screen of the phone.
- (3A) For the purpose of this rule, a vehicle may be parked even though—
- (a) the key to the vehicle is located in the vehicle's ignition lock; or
 - (b) the engine of the vehicle is running.

(4) In this rule—

affixed to, in relation to a vehicle, includes forming part of the vehicle;

audio phone call does not include an email, text message, video call, video message or other similar communication;

body, in relation to a mobile phone, means the part of the phone that contains the majority of the phone's mechanisms;

held includes held by, or resting on, any part of the driver's body, but does not include held in a pocket of the driver's clothing or in a pouch worn by the driver;

mobile phone does not include a CB radio or any other two-way radio;

use, in relation to a mobile phone, includes any of the following actions by a driver—

- (a) holding the body of the phone in her or his hand (whether or not engaged in a phone call), except while in the process of giving the body of the phone to a passenger in the vehicle;
- (b) entering or placing, other than by the use of voice, anything into the phone, or sending or looking at anything that is in the phone;
- (c) turning the phone on or off;
- (d) operating any other function of the phone.