



Distracted Driving Fact Sheet

PENNSYLVANIA'S DISTRACTED DRIVING LAW

Known as Paul Miller's Law, this law bans the use of hand-held devices while driving.

Effective June 5, 2025, the law prohibits as a primary offense any driver from using an interactive mobile device (IMD) while driving a motor vehicle.

The law:

- Defines an interactive mobile device as a handheld wireless telephone, personal digital assistant, smart phone, portable or mobile computer, or similar device which can be used for voice communication, texting, emailing, browsing the Internet, instant messaging, playing games, taking or transmitting images, recording or broadcasting videos, creating or sharing social media or otherwise sending or receiving electronic data.
- Defines driving as operating a motor vehicle on a highway, including anytime the motor vehicle is temporarily stationary because of traffic, a traffic control device (e.g., a traffic light or stop sign), or other momentary delay.
- Defines the use of an interactive mobile device as using at least one hand to hold, or supporting with another part of the body, an interactive mobile device, dialing or answering an interactive mobile device by pressing more than a single button, or reaching for an interactive mobile device that requires a driver to maneuver so that the driver is no longer in a seated driving position, restrained by a seat belt.

Penalties Under this Law

As a primary offense, drivers can be stopped by police if they have a mobile device in their hand while driving.

- For the first 12 months, the penalty is a written warning.
- Effective June 5, 2026, the penalty is a summary offense with a \$50 fine, plus court costs and other fees.
 - If a driver is convicted of homicide by vehicle and driving while distracted, they may be sentenced up to an additional five years in prison.

A driver may use an interactive mobile device if the driver moves the vehicle to the side of or off a highway and halts in a location where the vehicle can safely remain stationary. The hands-free law allows for an emergency use exception if it is necessary to communicate with a law enforcement official or other emergency service to prevent injury to persons or property.

PENNSYLVANIA'S TEXTING-WHILE-DRIVING BAN

The law prohibits as a primary offense any driver from using an interactive mobile device to send, read or write a text-based communication while his or her vehicle is in motion.



- Defines an interactive mobile device as a handheld wireless telephone, personal digital assistant, smart phone, portable or mobile computer or similar device which can be used for voice communication, texting, emailing, browsing the Internet, instant messaging, playing games, taking or transmitting images, recording or broadcasting videos, creating or sharing social media or otherwise sending or receiving electronic data.
- Defines a text-based communication as a text message, instant message, email or other written communication composed or received on an interactive mobile device.
- Makes clear that this law supersedes and preempts any local ordinances restricting the use of interactive wireless devices by drivers.

Penalties Under this Law

- The penalty is a summary offense with a \$50 fine, plus court costs and other fees.
- The violation carries no points as a penalty and will not be recorded on the driver record for non-commercial drivers. It will be recorded on commercial drivers' records as a non-sanction violation.

The texting ban does NOT include the use of a GPS device, a system or device that is physically or electronically integrated into the vehicle, or a communications device that is affixed to a mass transit vehicle, bus or school bus. The law does not authorize the seizure of an interactive wireless device.

BACKGROUND, NATIONWIDE PERSPECTIVE

In 2023, there were 11,262 crashes involving a distracted driver in Pennsylvania, resulting in 65 fatalities and 409 suspected serious injuries.

Today, there are few individuals without a cell phone. Numerous studies indicate that texting drivers typically have their eyes diverted from the road longer than any other distraction. Banning drivers from using any interactive mobile device while operating a motor vehicle will help to ensure that their full attention is on the task of driving.

According to the [Governors Highway Safety Association](#):

- **Handheld Cellphone Use: 30** states, D.C., Puerto Rico, Guam, the Northern Mariana Islands and the U.S. Virgin Islands prohibit **all drivers** from using handheld cellphones while driving. All but Alabama and Missouri are **primary enforcement laws** — an officer may cite a driver for using a handheld cellphone without any other traffic offense taking place.
- **All Cellphone Use:** No state bans all cellphone use for all drivers, but 36 states and D.C. ban all cellphone use by **novice drivers**, and 25 states and D.C. prohibit it for **school bus drivers**.
- **Text Messaging:** Washington was the first state to pass a texting ban in 2007. Currently, 49 states, D.C., Puerto Rico, Guam, the Northern Mariana Islands and the U.S. Virgin Islands ban text messaging for all drivers. All but six have primary enforcement.