

Summary of overseas practices on control of mobile phones while driving

<u>Country</u>	<u>Specific Car Phone Laws</u>	<u>Penalty</u>	<u>Reasons for/against specific legislation</u>	<u>Other existing Legislative Control</u>
Israel	Yes (prohibit hand-held phone only)	Fine 750 NIS	No reason has been given for the legislation	No information
Malaysia	Yes (prohibit hand-held phone only)	<ul style="list-style-type: none"> • 1st offence: max. fine 1,000 ringgits or imprisonment up to 3 months • Subsequent offence: max. fine 2,000 ringgits or imprisonment up to 6 months or both 	The issue regarding the use of hand-held phone while driving has been assessed. The results showed that such use is detrimental to driving performance.	No information
Singapore	Yes (prohibit hand-held phone only)	Fine of S\$ 170 and 9 demerit points	No reason has been given for the legislation	No information
Switzerland	Yes (prohibit hand-held type only)	Fine of 100 swiss francs	According to art. 3 of the Swiss Traffic Regulations, a motorist must always focus on the road and the nearby traffic situation. The Swiss Federal Court made a judgment in 1994 that the above regulation may be violated in the case of using a hand-held phone while driving as this is an activity which makes drivers more difficult to maintain control over a vehicle. However, using hands-free phones are still allowed. Accordingly, a specific fixed-penalty offence on use of hand-held phone while driving is made.	No information
Australia	Yes (prohibit hand-held type in New South Wales and Victoria only)	Information not available	Legislation was made in response to public concern on the potential risk of using mobile phone while driving and the availability of hands-free equipment	In other states, the use of car phone while driving is dealt with by provisions requiring drivers to drive with due care and attention.

<u>Country</u>	<u>Specific Car Phone Laws</u>	<u>Penalty</u>	<u>Reasons for/against specific legislation</u>	<u>Other existing Legislative Control</u>
Canada	No	N.A.	There is insufficient scientific evidence to justify such a regulation	No information
New Zealand	No	N.A.	There are relatively few reported injury and fatal crashes involving mobile phone use to justify specific legislative control	Charged with careless use of a motor vehicle causing injury.
Japan	No	N.A.	Further studies on overseas cases would be required for justifying such a regulation.	No information
Korea	No	N.A.	No studies	No information
Taiwan	No	N.A.	No studies	No information
United Kingdom	No	N.A.	No studies.	The existing regulations also cover this malpractice.
USA	No national policy on prohibition	N.A.	Mobile phone can help stranded motorists get out of trouble and summon medical personnel to crash scene more quickly.	Uniform Vehicle Code prohibits driving a vehicle while wearing a headset
Sweden	No	N.A.	Although many research studies have been carried out to examine the association of mobile phone use with traffic accidents, no specific legislation on control of car phones is made.	No information

Annex B

**Accidents in Hong Kong with Drivers Admitting
Using Mobile Phones while Driving (1992-1998)**

Year Severity	1992	1993	1994	1995	1996	1997	1998 (Jan- Mar)
Fatal	0	0	0	0	0	0	2
Serious	0	1	1	0	2	1	0
Slight	3	0	1	0	1	0	0
Total	3	1	2	0	3	1	2

Mobile phone/population

Hong Kong	35%	as of May 1998
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Countries where use of hand-held phone while driving is prohibited

Australia	31%	as of January 1998
Israel	40%	as of January 1998
Malaysia	11%	as of March 1998
Singapore	28%	as of May 1998
Switzerland	18%	as of June 1998

Countries where use of hand-held phone while driving is not prohibited

Canada	16%	as of January 1998
France	12%	as of May 1998
Germany	12%	as of May 1998
Japan	32%	as of May 1998
Korea	17%	as of January 1998
New Zealand	16%	as of March 1998
Sweden	38%	as of March 1998
Taiwan	7%	as of January 1998
United Kingdom	16%	as of May 1998
United States	22%	as of May 1998