

What distracted driving costs you in each state...

Cellphone laws and penalties by state

On July 1, New Hampshire became the 15th state to ban the use of handheld cellphones while driving. In these states, you can be ticketed for using a handheld cellphone without any other traffic violation taking place. No state bans all cellphone use for all drivers, but 38 states and Washington, D.C. ban all cellphone use by novice drivers, and 20 states and D.C. prohibit it for school bus drivers.

Will a cellphone ticket raise my car insurance rates?

Cellphone ticket penalties vary by state, but most do not consider talking on your phone while driving a moving violation, and typically no driver points are assessed. You will have to pay a fine, but your car insurance company probably won't hike your rates for a cellphone citation, in similar fashion to seat-belt and parking tickets.

There are exceptions, however. For example, in Connecticut insurers are allowed to consider cellphone tickets when calculating rates. In Illinois, repeat offenders are issued a moving violation when busted for talking on a handheld phone while driving. New York has one of the most severe penalties for handheld cellphone use -- 5 points tacked on your driver's license.

"In cases where you are assessed driver points or the offense is a moving

violation, you may see a rate increase," says Penny Gusner, consumer analyst at

Insure.com. "Insurers check your driving record when writing new policies, and typi

cally every six months upon renewal, and will factor in any driving infractions using their own point system."

A cellphone ticket would be considered a minor offense and basically rated the same as a low-level speeding ticket or running a red light. How much your car insurance rates may rise varies greatly depending upon your insurer. Some will let a first minor infraction slide, while other auto insurers will raise your rates -- 10 to 20 percent is fairly common.

If you experience a sharp rate increase after a cellphone ticket, you may want to [compare car insurance rates](#) from other insurers, says Gusner.

"You'll probably find that some insurers are more forgiving than others when you shop around," she says.

Here is a state-by-state list of cellphone laws and penalties, sourced from state motor vehicle departments, legislative records and the Governors Highway Safety Administration:

States with handheld cellphone ban

The following states ban the use of handheld phones while driving:

California, Connecticut, Delaware, Washington, D.C., Hawaii, Illinois, Maryland, Nevada, New Hampshire, New Jersey, New York, Oregon, Vermont, Washington, West Virginia

States with all cellphone ban for novice drivers

Many states have cellphone restrictions for novice drivers, but the laws vary significantly by state. Typically, state laws prohibiting the use of cellphones by inexperienced drivers

either set an age limit or pertain to the amount of time a driver is licensed. Some states that have handheld bans for all drivers also limit hands-free use for inexperienced drivers.

Here are the restrictions for states banning phone use for novice drivers:

Age 16 or 17 with intermediate license or license for less than six months: Alabama

Under 18 with learner or provisional license: Minnesota, Nebraska, West Virginia

Learner license or intermediate/provisional license: Delaware, Kansas, Maine, New Jersey, New Mexico, South Dakota, Tennessee, Washington, Wisconsin, Oklahoma

Restricted or intermediate license: Iowa

Level 1 or 2 license: Michigan

First year of license, learner or intermediate license: Louisiana

Learner's permit: DC

Age 18 to 20, primary offense; under 18, secondary offense: Arkansas

Under age 18: Arkansas, California, Colorado, Connecticut, Georgia, Hawaii, Kentucky, Maryland, Massachusetts, New Hampshire, North Carolina, North Dakota, Ohio, Oregon, Rhode Island, Texas, Utah, Vermont, Virginia

Under age 19: Illinois

Under age 21: Indiana

States with no cellphone ban

Not all states prohibit talking on phones while behind the wheel. The following states do not ban the practice for experienced drivers: Alabama, Alaska, Arizona, Colorado, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Carolina, New Mexico (Note that there is no statewide ban, but some cities, such as Albuquerque, have bans.), North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Wisconsin, Wyoming

Cellphone ticket penalties by state

The penalties for talking on a handheld phone while driving vary dramatically in the 15 states where it is banned. You may pay as little as \$20 for a first offense, or as much as \$250, depending on where you live. In some states, points are never tacked on to your driver record, while in other states they are added under certain conditions. Bear in mind, texting laws are a whole other set of measures.

Here are the penalties for being cited for talking on a handheld phone in the states where it is prohibited, as well as states, such as Utah and New Mexico, that have restrictions but not outright bans.

[California](#)

All drivers are prohibited from using a handheld cellphone while operating a motor vehicle. The law allows dialing and Bluetooth or other earpieces are allowed, however you can't have both ears covered.

Penalties:

First offense - \$20

Subsequent convictions - \$50

Connecticut

Drivers 18 years of age and older need hands-free accessories to legally use cellphones.

The legislature recently specified that using a handheld phone is illegal even when your car is stopped in traffic or at a traffic sign or light. The measure also allows insurance companies to take distracted driving violations, including cellphone tickets, into account when setting car insurance rates.

Penalties:

First violation - \$150 fine

Second violation - \$300 fine

Each subsequent violation - \$500

Delaware

Drivers are banned from using a handheld phone while driving.

Penalties:

First offense - \$50

For each subsequent offense - \$100 to \$200

Washington, D.C. (District of Columbia)

Drivers are banned from using a handheld phone while driving.

First-time violators can have the fine suspended by providing proof of having acquired a hands-free accessory prior to the imposition of the fine.

Penalties:

First offense - \$100

[Hawaii](#)

Drivers are banned from using a handheld phone.

Penalty - \$250

[Illinois](#)

Drivers are banned from using a handheld phone. You are allowed by law, however, to press a single button on a phone to begin or end a conversation.

A first offense is not considered a moving violation. However, subsequent offenses are considered a moving violation and will be recorded on your driving record.

Penalties:

First offense - maximum of \$75

Second offense - \$100

Third offense - \$125

Fourth or subsequent offense - \$150

Maryland

Handheld cellphone use while driving is banned, but you are allowed to turn a phone on or off and to make or end a call.

Points will not be assessed to the first-time violator's driving record unless the violation contributed to a crash, in which case 3 points will be added.

Penalties:

First offense - \$40

Subsequent offenses - \$100; 1 point is assessed for a second or subsequent offense.

Nevada

Use of handheld phones while driving is banned, but while making calls, you can touch the phone to "activate, deactivate or initiate a feature or function on the device."

Penalties:

First offense (in seven years) - \$50

Second offense - \$100; 4 demerit points

Third and subsequent offenses - \$250; 4 demerit points

New Hampshire

The cellphone law allows use of hands-free phones and bans all cellphone use by motorists under 18.

You also can't use a handheld phone while stopped in traffic or at lights. Starting, receiving or conducting a conversation or initiating a command to access the internet or inputting information into a GPS or navigation device is not allowed.

Penalties:

First offense - \$100 fine

Second offense - \$250

Subsequent offense within 24 months - \$500

[New Jersey](#)

Handheld cellphones are banned for all drivers.

Penalties:

First offense - \$200 to \$400 fine.

Second offense (committed within 10 years of first) - \$400 to \$600 fine.

Third or subsequent offenses (committed within 10 years of first) - \$600 to \$800 fine plus possibility of 90-day driver's license suspension. If convicted three times of a cellphone offense, 3 points will be assessed to your driver's record.

[New Mexico](#)

The four largest cities have local ordinances against handheld cellphone use - Albuquerque, Las Cruces, Rio Rancho and Santa Fe -- though there is no state-wide ban.

Albuquerque penalties:

First offense - \$100

Second offense - \$200

[New York](#)

New York law bans all drivers from using handheld phones.

The penalties include 5 driver points on your driver's license and the following fine:

First offense - \$50 to \$200

Second offense (committed within 18 months) - \$50 to \$250

Third or subsequent offense (committed within 18 months) - \$50 to \$450

[Oregon](#)

Driving while using a cellphone, without a hands-free device, is prohibited. In 2012, the law was updated to remove a loophole that allowed drivers to use a cellphone if conducting business. This put an end to drivers using the excuse of being on an important business call to get out of tickets.

Penalties:

Fines of up to \$500

Washington

Handheld phones are banned for drivers. Bills to strengthen the law that would make using phones during temporary stops illegal or impose higher fines for repeat offenders have failed to pass.

Penalties:

Fine of \$124

West Virginia

Use of handheld phones is illegal for all drivers in West Virginia.

Penalties:

First offense - \$100

Second offense - \$200

Third or subsequent offense - \$300; 3 points

Utah

Utah does not ban talking on a cellphone while driving - you can talk on the phone, hands free, or not. But the state does prohibit types of "manipulation," including dialing, entering data, accessing the Internet and viewing or recording video.

"Any manipulation is a violation so if we see a person and their phone is up to their face and their thumb is going crazy over the front of the phone it's obvious they are doing something," Col. Superintendent Danny Fuhr, with the Utah Highway Patrol, has told news reporters.

Penalties:

Class C misdemeanor - fine up to \$100

Class B misdemeanor - fine of up to \$10,000 if you caused bodily injury due to the use of your cellphone or had a prior conviction in the last three years

Vermont

Driving while using a handheld cellphone is prohibited, even when your car is temporarily stationary.

Penalties:

First offense - \$100 to \$200

Second or subsequent offense (within 2-year period) - \$250 to \$500

Points are only assigned if violation occurs in a work zone -- 2 points for a first conviction and 5 points for second or subsequent violation.