



LINCOLN POLICE DEPARTMENT

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PRESS RELEASE

FOR IMMEDIATE RELEASE

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New Driving Laws Affecting Citizens in 2009

LINCOLN, CA, Jan. 7, 2009 – Effective January 1, 2009, the California legislature enacted a No-Texting while driving law that makes it illegal for a person to operate a motor vehicle while using an electronic wireless communications device to write, send, or read a text based communication. This includes, but is not limited to, communications referred to as text messages, instant messages or electronic mail.

A first violation of the no-texting while driving law will have a base fine of \$20 and \$50 for each subsequent violation. In addition to the base fine there are court assessments that substantially raise the cost of the fine. Drivers are still able to legally enter telephone phone numbers on their cell phones, blackberries, etc. while using a hands-free device to make cellular phone calls. It is still illegal for anyone under 18 years old to use any mobile service device at all while driving. Under 18 year old motorists cannot use a hands-free phone, pager, an iPhone or any other type of communications device while driving.

Once again, the State Legislature continues to strengthen the drinking driver laws in California by enacting a new driving under the influence law providing for zero tolerance. The new law makes it unlawful for drivers on probation for previous driving under the influence offenses to operate a motor vehicle at any time with a blood-alcohol concentration of 0.01% or greater as determined by a preliminary alcohol screening device. The legislature also wrote into the law that the driver who is on probation for driving under the influence is presumed to have given his or her consent to a preliminary alcohol screening test or other chemical test for the purpose of determining the presence of alcohol in their blood stream. If the motorist fails to comply with taking a test then the refusal may result in the loss of his or her license for up to three (3) years.

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