

ALERT

Federal Distracted Driver Guidelines for Auto Manufacturers Set the Stage for Regulation of Mobile Devices and Tablets in Cars

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The Department of Transportation (DOT) has released Phase 1 of its Driver Distraction Guidelines, which apply to the visual-manual interfaces of Original Equipment (*i.e.*, auto manufacturer) electronic devices installed in vehicles. These Guidelines are likely to set a precedent for DOT's Phase 2 guidelines, which will apply to "portable or aftermarket devices," including mobile devices and tablets brought into vehicles by consumers. DOT has specifically identified as an issue for its Phase 2 Guidelines, "how to encourage [consumer] use of the in-vehicle human machine interface" (*i.e.*, the vehicle's communication system) rather than the interface on a mobile device or tablet used in a vehicle. Because the vehicle interface should be designed to restrict or "lock out" certain device functions, DOT views the vehicle interface as superior to the interface on a mobile device or tablet, from a public safety and distracted driving perspective. The Guidelines contain proposals related to Phase 2 that raise public safety and competitive concerns that may be of interest to wireless carriers and device manufacturers. DOT intends to publish its Phase 2 Guidelines "as soon as feasible."

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