

**§§ 392.68–392.69**

**49 CFR Ch. III (10–1–24 Edition)**

**§§ 392.68–392.69 [Reserved]**

**§ 392.71 Radar detectors; use and/or possession.**

(a) No driver shall use a radar detector in a commercial motor vehicle, or operate a commercial motor vehicle that is equipped with or contains any radar detector.

(b) No motor carrier shall require or permit a driver to violate paragraph (a) of this section.

[58 FR 67375, Dec. 21, 1993]

**Subpart H—Limiting the Use of Electronic Devices**

**§ 392.80 Prohibition against texting.**

(a) *Prohibition.* No driver shall engage in texting while driving.

(b) *Motor carriers.* No motor carrier shall allow or require its drivers to engage in texting while driving.

(c) *Definition.* For the purpose of this section only, *driving* means operating a commercial motor vehicle, with the motor running, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. Driving does not include operating a commercial motor vehicle with or without the motor running when the driver moved the vehicle to the side of, or off, a highway, as defined in 49 CFR 390.5, and halted in a location where the vehicle can safely remain stationary.

(d) *Emergency exception.* Texting while driving is permissible by drivers of a commercial motor vehicle when necessary to communicate with law enforcement officials or other emergency services.

[75 FR 59136, Sept. 27, 2010, as amended at 76 FR 75487, Dec. 2, 2011]

**§ 392.82 Using a hand-held mobile telephone.**

(a)(1) No driver shall use a hand-held mobile telephone while driving a CMV.

(2) No motor carrier shall allow or require its drivers to use a hand-held mobile telephone while driving a CMV.

(b) *Definitions.* For the purpose of this section only, *driving* means operating a commercial motor vehicle on a highway, including while temporarily stationary because of traffic, a traffic con-

trol device, or other momentary delays. Driving does not include operating a commercial motor vehicle when the driver has moved the vehicle to the side of, or off, a highway and has halted in a location where the vehicle can safely remain stationary.

(c) *Emergency exception.* Using a hand-held mobile telephone is permissible by drivers of a CMV when necessary to communicate with law enforcement officials or other emergency services.

[76 FR 75487, Dec. 2, 2011]

**PART 393—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION**

**Subpart A—General**

Sec.

- 393.1 Scope of the rules of this part.
- 393.3 Additional equipment and accessories.
- 393.5 Definitions.
- 393.7 Matter incorporated by reference.

**Subpart B—Lamps, Reflective Devices, and Electrical Wiring**

- 393.9 Lamps operable, prohibition of obstructions of lamps and reflectors.
- 393.11 Lamps and reflective devices.
- 393.13 Retroreflective sheeting and reflex reflectors, requirements for semitrailers and trailers manufactured before December 1, 1993.
- 393.17 Lamps and reflectors—combinations in driveaway-towaway operation.
- 393.19 Hazard warning signals.
- 393.20 [Reserved]
- 393.22 Combination of lighting devices and reflectors.
- 393.23 Power supply for lamps.
- 393.24 Requirements for head lamps, auxiliary driving lamps and front fog lamps.
- 393.25 Requirements for lamps other than head lamps.
- 393.26 Requirements for reflex reflectors.
- 393.27 [Reserved]
- 393.28 Wiring systems.
- 393.29 [Reserved]
- 393.30 Battery installation.
- 393.31–393.33 [Reserved]

**Subpart C—Brakes**

- 393.40 Required brake systems.
- 393.41 Parking brake system.
- 393.42 Brakes required on all wheels.
- 393.43 Breakaway and emergency braking.
- 393.44 Front brake lines, protection.
- 393.45 Brake tubing and hoses; hose assemblies and end fittings.
- 393.46 [Reserved]