

# Hunting for loopholes in Washington state's driving-while-phoning-or-texting law

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Last week, a law went into effect in the state of Washington which makes driving while texting or using a hand-held phone a primary offense, meaning that you can be pulled over for doing it. (Previously, it was a secondary offense, which means that the officer must have some other reason for pulling you over.) One of my colleagues studied the new law when it was passed and believes he found a loophole. According to RCW 46.61.667 subsection (2)(c)(i), driving-while-phoning is legal if the driver is using the phone to report illegal activity. My colleague points out that the law does not say *whom* you have to be reporting the illegal activity to. Therefore, my colleague concludes, if you call your friend while driving, make sure you say, “I’d like to report illegal activity, specifically, I’m talking on a phone while driving.” This sentence, according to my colleague, makes your phone call fall under the subsection (2)(c)(i) exception, and you’re in the clear!

Yeah, good luck with that one.