



Atlanta Metro Law Group on Hands-Free Act Claims

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A 2024 roadside observational survey conducted by the Injury Prevention Research Center at Emory University reported that 16.2 percent of Metro Atlanta drivers engaged in distracted behavior while driving, described in the findings as the highest distraction rate of any region in Georgia. According to the survey documentation, the study spanned 400 Georgia sites and produced 23,000 observations between May and August 2024, with results cited in the 2025 Georgia Distracted Driving Traffic Safety Facts report attributed to Governor's Office of Highway Safety data. Atlanta Metro Law Group is addressing how this reported distraction rate intersects with Georgia's Hands-Free Georgia Act to shape liability questions in distracted driving crash claims.

Georgia's Hands-Free Georgia Act, codified at O.C.G.A. Section 40-6-241 and enacted as HB 673 effective July 1, 2018, prohibits drivers from holding a phone with any part of their body while driving, including at red lights. Violations carry fines of up to 900 dollars for repeat offenses and up to four license points. When law enforcement officers observe a driver holding a phone, the resulting citation creates a statutory violation record that may become relevant to a subsequent personal injury claim. According to the firm, when a car accident attorney in Atlanta Georgia establishes that an at-fault driver violated the statute, the violation may support a negligence per se argument under Georgia law. The firm notes that a statutory violation does not automatically determine the outcome of a claim, because causation, damages, and comparative fault remain

contested issues that a court or jury must still weigh.

According to the report cited by the firm, 29 percent of distraction-related crashes in the Atlanta region occur on principal arterial roads and 25 percent on interstates, reflecting high-speed environments where distraction may produce more serious collisions. The firm states that for an Atlanta distracted driving accident lawyer, a confirmed citation or dashcam evidence of phone use can provide additional documentary support for a liability theory, though it does not guarantee recovery.

Georgia Senate Bill 68, signed April 21, 2025, modified the state's apportionment framework. The change allows defendants in distracted driving claims to argue that the injured party was also using a phone, eating, or otherwise distracted, and to distribute fault to unnamed non-parties. Even when an at-fault driver's HB 673 violation is confirmed, the legislation gives insurers additional grounds to seek a reduction in the total claim by assigning partial fault to the injured party's own conduct.

"A confirmed Hands-Free Act citation or dashcam footage of phone use can support a negligence per se argument, but that is one element of a claim rather than a guaranteed result, because causation and damages still have to be proven," said a spokesperson for Atlanta Metro. "Under SB 68, the insurer investigates whether the injured party was also distracted, and any such finding can distribute fault in ways that lower the settlement even when the other driver's violation is documented. The firm's fee structure is intended so that clients retain a larger share of whatever recovery results after apportionment."

The firm charges a flat 25 percent contingency fee. Fee percentages among personal injury practices vary, and a 33 percent rate is common in the industry, according to the firm. The firm illustrates the difference with a hypothetical example that assumes a single-attorney fee applied to a settlement amount before costs: on a 200,000 dollar distracted driving matter, an eight-percentage-point difference in the fee would represent 16,000 dollars, an amount that varies with the actual recovery and any apportionment reduction. The role of a Georgia hands-free law car accident attorney at the firm includes documenting any O.C.G.A. Section 40-6-241 violation and responding to distraction findings raised against the client. Additional background is available from the ATL Metro Atlanta car accident lawyer team at <https://atlantametrolaw.com/atlanta/car-accident-lawyer/>.

Atlanta Metro Law Group is a network of personal injury law firms serving Atlanta car accident victims and other injured clients throughout Metro Atlanta and Georgia. The firm handles car accident claims, distracted driving accidents, truck accidents, motorcycle accidents, rideshare collisions, and bicycle accidents on a flat

25 percent contingency fee, below the industry standard, with no upfront costs.

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Atlanta Metro Personal Injury Law Group

Atlanta Metro Law is dedicated to fighting for the rights of individuals injured in accidents, prioritizing client satisfaction and achieving the best possible outcomes.

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