

Usage of Bluetooth during Riding and driving is the need of the hour and not a crime

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New Delhi,

Commenting on the dictate of Bangalore police that using headphones while driving or riding by placing them under the helmet or using Bluetooth devices is prohibited. Two wheelers Helmet Manufacturers Associations has come out in the support of 20 million two wheeler riders and advocated to allow the use of bluetoothenables hand free technology while driving/riding.

The Association has pointed out the fact that Bluetooth is a technology used and permitted while driving /riding world-wide. Most four wheelers in the current times are providing Bluetooth and likewise there are bluetooth enabled two wheelers. The reason for offering this technology is logical and simple-- the technology is changing. We are living in an era where everyone is driving any kind of vehicle with the help of GPS Maps. Cars are being provided GPS Maps for ease of comfort while driving. It simply helps to reach the right destination. Hence technology in no way is a hindrance.

Commenting on the use of Bluetooth being made illegal by Bangalore Police, Mr. Rajeev Kapur, President -

Two Wheelers Helmet Manufacturers Association said, 'This has come as a shock to the two-wheeler and the helmet industry. Bluetooth is certainly safer than holding the phone in the hand while driving a car or riding a two-wheeler. This technology is an enabler and not a hindrance to safe driving. Also, India is not the only country to adopt it. It's already being used in USA, Australia, Europe, China and many other countries. We certainly don't want to lag behind in terms of technology and things that are enablers for best safety practices and driver friendly.'

Further Mr. Kashish Kapur, Director, Steelbird Hi-Tech India Limited said, 'Bluetooth is an extremely useful technology while driving, in fact many helmet brands have integrated this technology in their helmet models. Also there is great demand for the helmet models that have inbuilt Bluetooth. And the reason is simple, it offers comfort while riding. It is any day safer than holding a mobile phone in one hand while riding/driving.'

Explaining the usage of bluetooth technology in the helmet, Mr. KashishKapur further said, 'Bluetooth or handsfree devices are used as accessories in the helmet, and are not fundamentally intrinsic component of the helmet as such. These accessories are not meant for the exclusive use by the rider of the motorcycle or two-wheeler, but the utility of such accessories/devices cannot be underrated. This accessory with helmet can also be used by the 'pillion' rider in the case of motorcycle or two-wheeler, for whom also wearing the helmet is mandatory as the rider can properly sit and have complete grip on the handles.'

Moreover it is not fair to understand that these accessories are meant only to make or receive phone calls. A rider may also sync it with the GPS of the mobile phone for the purposes of navigation for which, in the absence of such device, the rider conventionally depended on his own knowledge of the directions or assistance of an passerby at the risk of his own safety and that of others.'

Mr. KashishKapur further added that we would like to state that at the time of revision of Motor Vehicle Act in 1988, the mobile phone technology was non-existent. The mobile phones were first introduced in India in 1995 and till 2002-03, the usage of mobile was restricted to medium and upper class. But with increasing penetration of mobile phones, it is expected that 750 million Mobile Phone users exist in India with smartphone to be around 350 million as of 2019. The Bluetooth and hands-free technology has been introduced in helmets in year 2002 in European Markets. In India, the usage of this technology started somewhere in 2009. We submit that the technology should be adapted and integrated in our daily use to make the human life safe. It is a true fact that in spite of regulations of ban on usage of mobile phones while driving, millions of unreported offences happen each day. We are of the view that if this technology is promoted it would help in safe driving as the attention of driver will not be diverted to picking the call, seeing who is calling, pressing the call receive button, adjusting the phone in helmet to answer the call. Hence, Technology should be welcome when it comes with safety, which these products do.

We would like to bring to your notice the view taken by Hon'ble Kerala High Court that talking on the mobile phone while driving is not an offence, unless it can be established that the act, in the particular instance when the driver was caught, had endangered public safety.

A division bench of the Hon'ble High Court said that there are no provisions in the existing law to book a person for speaking on the phone while driving. The high court was hearing a petition by MJ Santhosh, a resident of Kochi, who was booked by the police under Section 118 (E) of the Kerala Police Act and Section 184 of the Motor Vehicles Act for talking on the phone while he was driving. The Hon'ble Court disposed of the case without fine, and ruled that the police could take action only if it was established that talking on

the phone while driving had endangered the safety of the public. It also observed that no provision existed in the state Police Act banning drivers from talking on their mobile phone. If a case has to be registered, the existing law should be amended and passed by the legislative assembly. The Hon'ble Court observed, "There is no provision in the Police Act that bans people from talking over mobile phone while driving. Hence a person doing this can't be assumed as one causes danger to the public". The bench further observed that "The court can't rule that the person who speaks on a mobile phone while driving causes danger to the public. The assembly should pass an amendment to include these provisions in the Police Act to make it an offence. If the police had registered such cases in the state those concerned can approach the respective magistrate courts to quash their cases".

Even ICICI Lombard General Insurance Co. Ltd., advocates the usage of Bluetooth helmet while driving. Their website with following link, lists down the benefits of usage of Bluetooth helmet.

<https://www.icicilombard.com/blog/two-wheeler-insurance/bike/five-reasons-to-wear-a-bluetooth-helmet> .

It will also not be out of context to draw a comparison of the use of Bluetooth, handsfree and similar devices installed in four-wheelers (cars). As per us, this device in helmet is far safer than all devices which are being provided in almost all the passenger cars. Today almost all passenger cars come equipped with Bluetooth enabled stereo system, Bluetooth device, microphones and a large display screen at the dashboard to enable the driver to make and receive calls. It is very commonplace nowadays to find cars in which the manufacturer has put functions/buttons at the steering wheel itself to enable the driver to make and receive calls. It is often seen that when mobile phone is synced with the car audio unit using bluetooth or USB cable, the contacts on the phone get displayed on the screen placed at the dashboard of the car and drivers, while making or receiving calls, have the tendency to look at the screen causing the momentary lapse of concentration which can lead to serious accidents. Compared to the devices equipped with cars and the potential risk associated with the use of such devices, the accessories being used for helmets would in our humble submission pose for far lesser risk. In our case, the rider (even if the accessory is being used by the rider while riding) would not be distracted by any screen.

In the context of the above, it would be apposite to give a historical perspective of the use of such devices across the globe and in India.

As far as Speakers and Microphones for helmets are concerned, we would like to inform you that all over the world helmets and Speakers & Microphones are being sold since 2002. In the year 2002, for the first time in the world, Motorola had launched Bluetooth Device for Motorcycle Helmets. The related weblink is given below for reference.

<https://www.siliconrepublic.com/gear/motorola-puts-bluetooth-in-motorcycle-helmet>

Further, reference may also be made to a list of international companies who are producing smart helmets around the world. Apart from the listed brands below there would be more than a thousand other brands who are manufacturing and selling helmets with Bluetooth/intercom technology:

List of Companies selling in USA :

S.No	Brand Name	Description	Feature(s)	Standard	Link
1	SENA	SENA Momentum Helmet	Bluetooth Integrated		Electronics: CE, FCC, IC Helmet: DOT, ECE https://www.sena.com/product/momentum
2	SENA	SENA Momentum Pro	Integrated HD Action Camera		Electronics: CE, FCC, IC Helmet: DOT, ECE https://www.sena.com/product/momentum-pro
3	SENA	SENA Momentum Inc Pro	Noise Control + Action Camera		Electronics: CE, FCC, IC Helmet: DOT https://www.sena.com/product/momentum-inc-pro#specs
4	BELL	Star 360 Fly Helmet	360° inbuilt camera		DOT Certified https://www.revzilla.com/motorcycle/bell-star-360fly-helmet
5	Skully Helmets	AR-1 Helmet	GPS Maps, E Tint Visor, Voice Control, Phone & Music Link		DOT Certified ECE Certification Underway https://www.skully.com/shop/skully-fenix-ar
6	Torc	T-14 B	Built-in Bluetooth		DOT Certified https://www.torchhelmets.com/helmet.php?id_helmet=218
7	Hawk	H-510	Built-in Bluetooth		DOT Certified https://www.leatherup.com/collections/hawk-helmets
8	Jarvish X	Heads up display, 360° front & rear cameras, GPS Navigation, Voice Controls, Smart Sensors, Active Noise Cancellation, Built-in memory			DOT Certified https://www.jarvish.com/
9	IL Motor	ILM Stealth Bluetooth Helmet	Built-in Bluetooth		DOT & ECE Certified https://www.ilmotor.com/
10	Bilt	Techno 2.0 Helmet	Built-in Bluetooth. Built-in speakers, GPS Navigation		DOT Certified http://biltracing.com/
11	IV2	IV2 953	Built-in Bluetooth		DOT Certified https://www.iv2helmets.com/

List of companies selling in Europe :

S.No	Brand Name	Description	Feature(s)	Standard	Link
1	Nolan (Italy)	Nolan N87 Helmet	Built-in Bluetooth	DOT Certified	http://www.nolanhelmets.com/N87Helmets
2	ONEAL (Germany)	Commander Bluetooth Helmet	Built-in Bluetooth	DOT & ECE Certified	https://www.amazon.com/ONEal-Commander-Bluetooth-Helmet-X-Small/dp/B00IHRW1FU/ref=as_li_ss_tl?ie=UTF8&pd_rd_i=B00IHRW1FU&pd_rd_r=32QSACQGWXJM1FPTJ97X&pd_rd_w=IURMF&pd_rd_wg=z6rMJ&psc=1&refRID=32QSACQGWXJM1FPTJ97X&linkCode=sl1&tag=badasshelmetstore-20&linkId=ce0fa4853175cd04c7a423b14b04a732
3	ORIGINE	Delta	Built-in Bluetooth	ECE Certified	https://www.origine-helmets.it/Helmet-Origin-Delta-level_matt_blue__white-id217.php

List of companies selling in Australia :

S.No	Brand Name	Description	Feature(s)	Standard	Link
1	Forcite	Alpine	Bluetooth, Action Camera, walkie talkie, FOG Lights, impact sensor, wi-fi, altimeter.		http://forcitehelmets.com/

List of companies selling in Asia:

S.No	Brand Name	Description	Feature(s)	Standard	Link
1	Cross (Japan)	Cross Helmet X1	360° visibility, noise cancellation, smart phone connectivity, Touch Gestures	DOT, ECE & JIS Certified	https://www.crosshelmet.com/
2	LS2 (China)	FF310	Helmet with Bluetooth	ECE Certified	https://www.amazon.in/LS2-FF310-Helmet-Bluetooth-Matte/dp/B00LTU0VRW

List of companies selling in India :

S.No	Brand Name	Description	Feature(s)	Standard	Link
1	Steelbird	SBA-2 Air	Helmet with Bluetooth	ISI Certified	This helmet is www.internationalnewsandviews.com

modified by some retailer and they start selling it on Amazon after modifications and by adding Bluetooth device of some other brand .

<https://www.amazon.in/STEELBIRD-BLUETOOTH-EXTRA-VISIOR-HELMET/dp/B075TJMK8R>

2 SMK Twister Helmet with Bluetooth ECE & ISI Certified
https://www.smkhelmets.com/full_face_helmet/Twister

3 Vega RS1 Helmet with Bluetooth ISI Certified
<https://www.flipkart.com/vega-bluetooth-motorcycle-smart-helmet/p/itm9pa7dyh9hskc>

4 LS2 FF310 Helmet with Bluetooth ECE Certified
<https://www.amazon.in/LS2-FF310-Helmet-Bluetooth-Matte/dp/B00LTU0VRW>

5 Aaron Moto X II Helmet with Bluetooth ISI Certified
https://www.amazon.in/dp/B0778T9GSJ/ref=sspa_dk_crr_aax_0?psc=1

6 Green Stone G1 Helmet with Bluetooth ISI Certified
https://www.amazon.in/GREEN-STONE-Bluetooth-Helmet-Special/dp/B071VR5XXY/ref=pd_sbs_263_1?encoding=UTF8&pd_rd_i=B071VR5XXY&pd_rd_r=b7dc1881-2d32-11e9-984c-df22a993e1da&pd_rd_w=BrMIS&pd_rd_wg=eIlyQ&pf_rd_p=87667aae-831c-4952-ab47-0ae2a4d747da&pf_rd_r=BSKAJ8WRGGA08Q97NDBH&psc=1&refRID=BSKAJ8WRGGA08Q97NDBH

In India helmets were imported and sold with In-Built Bluetooth. Large numbers of importers are importing Bluetooth devices for motorcycle helmets for over a decade, and riders who are travelling in groups to destinations like Leh&Ladakh or in motorbike expeditions use helmets with Bluetooth with intercom facilities and Bluetooth facilities. In fact, such hi-tech equipments are used by all superbikes and cruiser bikers in India and by those who can afford it as it has become a necessity now.

We would like to humbly request to the Indian government to adapt to the technological changes which is already being done by most of the countries worldwide. We would request the Indian government to allow the use of Bluetooth devices in helmets until such provision/amendment is made in the Motor Vehicle Act allowing the use of Bluetooth/intercom devices while riding/driving.

URL :

<https://www.internationalnewsandviews.com/usage-of-bluetooth-during-riding-and-driving-is-the-need-of-the-hour-and-not-a-crime/>



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