

**Sample Policy**  
**Distracted Driving Prevention Policy**  
**(Use of Wireless Communication in Vehicle Operations)**  
**(November 2013)**

**Purpose**

The purpose of this Distracted Driving Prevention Policy is to establish policy and procedures for members/employees of the (*agency name*) regarding the use of wireless voice/data communications devices (department or privately-owned) when operating department vehicles or operating a private vehicle while the member/employee is on duty or is conducting official agency business.

The use of handheld mobile communications technologies has proliferated in recent years, and some drivers continue to use these devices while operating vehicles. Use of electronic devices while driving is highly distracting and is associated with increased crash risk similar to the elevated crash risk of alcohol-impaired driving. Law enforcement agencies have reported damage to agency vehicles, injuries to officers, and injuries to the public as a consequence of officer mobile communication device use while driving on the job.

*Note- most law enforcement agencies have specific policies that deal with department-owned wireless voice/data communications devices, however many do not have policies to address use of these devices while operating a vehicle.*

**Policy Statement**

The safety of the public and our members/employees is of paramount importance to (*agency name*). The primary responsibility of members/employees operating department-owned vehicles is to operate their vehicles safely in all driving conditions and circumstances.

Law enforcement officers are often required to operate a variety of communication and enforcement equipment in the performance of their official duties, and the use of additional handheld devices may contribute to distracted driving by law enforcement officers on patrol.

In order to increase public and member/employee safety, it is essential to eliminate unnecessary risks behind the wheel, and therefore, (*name of the agency name*) has enacted this Distracted Driving Prevention Policy, effective (*Date*).

This policy prohibits certain uses of wireless voice/data communication devices. This policy reflects best practices gathered from law enforcement agencies from around the country.

- **Limitations on Work Use of Wireless Voice/Data Communication Devices While Driving.** It is the policy of the (*agency name*) that use of wireless voice/data communication devices for work-related purposes while driving poses potential risk to the driver, passengers, and the general public, and should be strongly discouraged except when absolutely necessary.
- **Prohibition on Personal Use of Handheld Electronic Mobile Devices While Driving.** Members/employees may not use wireless voice/data communication devices for non-work related personal use while they are driving. Officers are reminded that use of handheld electronic mobile devices for non-work related personal use while driving is also prohibited by Washington State law when they are off-duty. While it is understood that carrying a personal cellular telephone or other wireless voice/data communications device on duty or during work related functions is a convenience, anyone choosing to carry one of these devices must comply with the stipulations regarding hands-free use set forth in this policy's procedures in order to prevent distracted driving.

## Vehicle Operation -Distracted Driving/ Use of Wireless Communication Sample Policy

### Page 2

Violations of this Distracted Driving Prevention Policy may result in the loss of this convenience and/or disciplinary action. If an emergency or exigent circumstance exists (i.e., inability to contact the *name of the communication center* via 800 MHz radio), agency members are asked to utilize a safe and common-sense approach if utilizing wireless voice/data communication devices. Safety of the officer and the public and prevention of distracted driving are our primary goals.

### **Definitions**

***Distracted Driving*** – for the purpose of this policy, distracted driving means any driving activity a person engages in while using a wireless voice/data communication device when operating a motor vehicle. Such activities have the potential to distract the person from the primary task of driving and increase the risk of crashing and injury to self, others and agency property and vehicles.

***Wireless Voice/Data Communication Device***– A wireless voice/data communication device is any device capable of transmitting and receiving voice or data communications without plugging into a wired land-based phone network. For the purpose of this policy such equipment will include, but not be limited to, the following:

- Pagers
- PDAs (Personal Digital Assistants)
- Cellular telephones
- Certain real-time navigational systems
- Smartphones and devices for voice and/or data, such as Blackberry or iPhone
- Mobile Data Terminals/ Computers (MDT/Cs)
- Wireless air cards

***Text Messaging/ Texting***- for the purpose of this policy, the term “text messaging” or “texting” means reading from or manually entering or transmitting data into any handheld or other electronic device, including, but not limited to, sending Short Message Service (SMS) text messages or Multimedia Message Service (MMS) text messages. Text messaging/texting also includes sending or receiving mail, instant messages, obtaining visually assisted navigational information, or engaging in any other form of electronic data retrieval or electronic data communication.

***Use*** – The term “Use” means talking on or listening to a wireless telephone, or engaging the wireless device for text messaging/texting, email or other similar forms of manual data entry or transmission. “Use” also includes taking photographs, accessing the Internet, reading messages or data files, and any other utilization of the device.

### **Responsibilities**

It is the responsibility of each member/employee (*name of the agency*) to be familiar with and adhere to established (*name of the agency*) policies and state and local laws that deal with computers, telephones and other wireless/voice data devices or inattention while driving, including this policy on Prevention of Distracted Driving.

### **Procedures**

Unless otherwise noted and /or exceptions are permitted by policy, the following procedures and requirements shall apply to both personally-owned and department-issued cellular telephones or wireless voice/data communication devices utilized during vehicle operation.

Vehicle Operation -Distracted Driving/ Use of Wireless Communication Sample Policy  
Page 3

- **How Devices May Be Utilized.** Members/employees may carry a cellular telephone or other wireless voice/data communications device purchased at their expense or issued by the department.
  - **Hand-Free Only.** The vehicular use of a cellular telephone or other wireless voice/data communication devices is permitted only when the device is used with available hands-free listening technology such as a Bluetooth earpiece, a wired ear bud, or temporary vehicle-mounted hands-free technology. If available, utilization of the device's speakerphone capability is acceptable in meeting the intent of this section.
  - **Affixation not Permanent.** Cellular telephones or other wireless voice/data communications devices and accessories shall not be permanently affixed to a patrol vehicle or other assigned vehicle. However, the antenna may be attached to the window glass with adhesive or by magnetic mount.

Members/employees wishing to attach personally owned hands-free accessories or an antenna to their assigned vehicles shall do so in accordance with guidelines established by the (*name for the agency*) technology officer or his/ her designee.
  - **Personal Devices May Not Ring While Driving.** Members/employees shall turn off personally owned cell phones or put them on silent or vibrate before starting the vehicle.
  - **No Device Use During Emergency Driving Situations.** Members/employees are prohibited from using cell phones or other wireless communication devices during any emergency driving situations, e.g. while emergency lights are on and siren off, and emergency lights on and siren on. This includes both personal and department-issued devices.
  - **Manual dialing is prohibited.** It is against this policy and prohibited to manually dial calls while a (*name of agency*) vehicle or any other vehicle (i.e., personally owned, rented or loaned) is in motion. To place an outgoing call, members/employees shall pull their vehicle off the road and stop in a safe location or use voice speed-dialing features to avoid driver distraction.
  - **Text messaging/Texting prohibited (see definitions).** It is against this policy and prohibited to use wireless voice/data communication devices, either issued by the department or personally owned, for text messaging (i.e., sending or reading text messages or emails or other manual operation defined by this policy as text messaging/texting) while a department owned vehicle is in motion or in any other vehicle (e.g., personally owned, rented, or loaned) while the member/employee is on duty or is conducting official Department business.. (*Exception: sworn members utilizing MDT/Cs as outlined in (name of the agency's MDT/C Policy).*)

*Note- many law enforcement agencies have separate rules governing the use of MDT/Cs, while operating a patrol vehicle.*

- **Voice-Activated Navigation Permitted.** Use of voice-activated navigation systems that are not incorporated into the MDT/Cs is allowed while a vehicle is moving, but the vehicle must be stopped to enter or modify the system. This type of technology shall be programmed in advance of driving so that drivers are not manually typing or inputting information while driving.

Vehicle Operation -Distracted Driving/ Use of Wireless Communication Sample Policy  
Page 4

I acknowledge that I have received a written copy of the Distracted Driving Prevention Policy, that I fully understand the terms of this policy, that I agree to abide by these terms, and that I am willing to accept the consequences of failing to follow the policy.

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Employee Signature

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Date

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Employee Name (printed)

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Date