



CITY OF BENICIA

POLICY & PROCEDURE

DIRECTIVE: #27a

AUTHORITY: City Manager

EFFECTIVE: January 1, 2009

WIRELESS DEVICE and DISTRACTED DRIVER SAFETY POLICY

PURPOSE:

The purpose of this directive is to set forth expectations for City of Benicia employees regarding the use of personal or business wireless devices while operating a motor vehicle on City business.

Definitions for purposes of this policy include:

Driving Distractions: References to driving distraction include anything that distracts the driver's attention away from driving and safely operating a motor vehicle. Distractions include reaching for objects, eating, drinking, reading, dialing a hand-held device, and using a hand-held wireless device to speak or text message or page.

Wireless Device: References to wireless devices includes all hand-held electronic devices including telephones, hand-held cell phones, pagers, Personal Digital Assistants (PDAs), Nextel Direct Connect, and any other hand-held or operated electronic devices that require the driver to use one or both hands to operate it while driving. *Studies have shown that the use of a wireless device, especially cell phones, is the primary factor in causing distractions while driving.*

SCOPE:

This policy applies to all employees of the City of Benicia. Sworn Police personnel are subject to City of Benicia Police Department Policy 702 when conducting official Police business. However, this Wireless Device and Distracted Driver Safety Policy shall apply to Police personnel when they are using their own wireless devices to conduct personal business.

Wireless Device and Distracted Driver Safety Policy

POLICY:

All employees must adhere to all federal, state, and local rules and regulations regarding the use of wireless devices while driving. All drivers aged 18 and over must use a hands-free wireless device while driving. Additionally, effective January 1, 2009, employees are prohibited from using a wireless device to write, send or read text-based communications while driving. Public safety employees operating authorized emergency vehicles are exempt from these requirements for work-related calls and communications. Drivers under the age of 18 are prohibited from using a wireless telephone or other electronic or mobile services device to speak or text, even hands free, while operating a motor vehicle, except to call police, fire or medical authorities in an emergency situation.

The best practice is not to use a wireless device while driving unless it is an emergency and it is not safe to pull off the road. Even with hands-free functionality, use of a wireless device while driving can cause unnecessary distractions and pose safety risks. Employees who must use a wireless device in the performance of their daily work are expected to follow the policy guidelines set forth below:

Policy Guidelines for Safe Driving*

1. Driving is your priority. Obey all traffic signs and signals and stay within the speed limits. Your greatest responsibility is to the safety of other drivers, pedestrians and passengers.
2. Do not engage in behavior which distracts your attention from driving. Never take notes or look up information while driving. Pull off the road if the call is distracting or reading/writing is required during the call.
3. Place calls when car is stopped or time the placement of the call to coincide with red lights. Pull over to the side of the road if necessary. Never dial while vehicle is in motion.
4. Be knowledgeable. Understand how to use your wireless device. Read the user's manual to learn of its capabilities.
5. Use memory dialing. Pre-program frequently dialed numbers or use voice recognition dialing.
6. Position the wireless device within easy reach and as close to eye-

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level as possible to avoid taking eyes off the road.

7. Let the person you are speaking with know you are driving.
8. Suspend conversations during hazardous situations, including high pedestrian traffic, congested traffic or severe weather conditions.
9. Do not engage in stressful or emotional conversations that may divert your attention from the road.
10. Keep any necessary conversations brief.
11. Refrain from placing or receiving unnecessary calls. Allow voice mail to handle your calls and return them when it is safe and convenient.
12. Actively compensate for the potential distraction created by wireless device use, move to slower travel lanes, increase your following distance and frequently check your mirrors to assess the immediate driving situations.

**It is recognized that, due to the nature of their work, public safety personnel may be required to engage in activities outlined above in the course of performing their duties.*

DISCIPLINARY ACTION:

Violations of this policy may subject the employee to disciplinary action, up to and including immediate termination or discharge.