Draft Sample Policy

This policy is intended to reduce the risk of distracted driving crashes while using state-issued personal electronic devices or driving state vehicles, and to clarify expectations that employees should focus on driving, not working, when they are behind the wheel.

 **Definitions**

**Driving** -- To operate a motor vehicle on a public roadway, including while temporarily stationary because of traﬃc, traﬃc control device, or other momentary delays. "Driving" does not include when the driver has pulled the vehicle over to the side of, or oﬀ, an active roadway and has stopped in a location where the vehicle can safely remain stationary.

**Hand-held or hands-free cell phone use** -- (1) Talking on a cell phone. (2) Using your hand or ﬁnger to compose, send, read, view, access, browse, transmit, save, or retrieve email, text messages, instant messages, photographs, or other electronic data. (3) Watching video. (4) Listening to podcasts/music.

**Personal electronic device** - Any portable electronic device that is capable of wireless communication or electronic data retrieval and is not manufactured primarily for handsfree use in a motor vehicle. "Personal electronic device" includes, but is not limited to, a cell phone, tablet, laptop, two-way messaging device, or electronic game.

It is the policy of the WTSC to promote employee safety; therefore, when conducting state business, employees shall not use hand-held or hands-free personal electronic devices while driving – whether the vehicle is in motion or stopped in traﬃc. This applies whether the employee is using a state vehicle or a privately-owned vehicle and whether the employee is using a state-issued or personally-owned electronic device.

Employees shall ensure that secondary tasks, such as eating, drinking, or grooming do not cause unsafe driving.

The WTSC does not require or expect employees to conduct work while driving. This includes responding to or initiating messages, e-mails, or phone calls, or participating on conference calls.

While driving on work-related business, employees are expected to focus their full attention on the task of driving.

All hand-held or hands-free personal electronic device use is prohibited, except that an employee may use navigation, music, or other non-interactive apps as long as the use of these apps is initiated or updated while the vehicle is parked.

If a driver needs to use their electronic device, they must pull over to the side of, or oﬀ, an active roadway and to a location where the vehicle can safely remain stationary. The shoulder of the freeway is not considered a safe location.

Electronic signature by each employee is required.