

**CELL PHONE  
USE WHILE  
DRIVING  
POLICY**



**Effective Date: 03/01/2020**

**Town of Chelmsford**

**TABLE OF CONTENTS**

**Section**

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- 1.0 PURPOSE
- 2.0 SCOPE
- 3.0 RESPONSIBILITIES
- 4.0 POLICY
- 5.0 EXCEPTION
- 6.0 VIOLATION OF POLICY
- 7.0 DOCUMENT CONTROL
- 8.0 REVISION HISTORY

# CELL PHONE USE WHILE DRIVING



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**Town of Chelmsford**

## 1.0 PURPOSE

The purpose of this policy is to protect the health and safety of the Town of Chelmsford employees and others on the road, by prohibiting or restricting them from undertaking activities that distract their focus from driving responsibilities while operating any motor vehicle in the course of their work. In addition, to comply with Occupational Health and Safety Administration (OSHA) regulation 29 654 Section 5 (a) (1).

## 2.0 SCOPE

The policy applies to all employees using Town of Chelmsford vehicles, their own vehicles on company business or rental cars on company business. In addition, it applies to all employees using Town of Chelmsford supplied cell phones as well as their personal cell phones on Town of Chelmsford company business.

## 3.0 RESPONSIBILITY

The Safety Specialist is designated as the Program Coordinator for The Town of Chelmsford. Specific responsibilities include:

- Developing and writing the policy.
- Keeping informed of any changes in the Massachusetts law on the Distracted Driving

Each Supervisor is responsible for:

- Providing the policy to their employees, explaining the policy and its implementation to their employees and maintaining and ensuring that each employee has signed the acknowledgment sheet regarding the policy.
- Ensuring the vehicles within their part of the organization are properly equipped so that employees can comply with the policy.
- Enforcing the policy with the employees in their group.

Each Employee is responsible for:

- Learning and following the procedures and practices developed under this program.

## 4.0 Policy

The Town of Chelmsford strongly encourages drivers to not use mobile communication devices while driving. If employees make or receives a call while operating a Town of Chelmsford vehicle, their personal vehicle, or a rented vehicle on Town of Chelmsford business they are subject to the following restrictions:

- 1) The mobile communications device must have a hands-free method of operation or is a single swipe or tap to activate, deactivate, or switch the device to hands-free mode.

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This can include, but is not limited to:

- A bluetooth headset;
- a vehicle-integrated communication system; or
- a mobile hands-free speaker/microphone device.

2) Before commencing travel, the mobile phone must be configured so that it can receive and make a call either through voice activation or with the push/swipe of a single button.

3) The mobile phone must be securely located within easy reach (i.e. affixed to the dash, windshield, visor, etc.)

4) If the phone is going to be used as a GPS device to provide travel or mapping directions, it must be set up and running before commencing travel.

Under no circumstances can employees write, read, or send text messages while driving. This restriction applies even when you are stopped in traffic. Employees also cannot read text messages that have already been sent to you while driving.

Unless the driver pulls off the road and parks in a safe location, drivers are prohibited from:

- Sending or reading text messages or photos;
- Taking or viewing photos;
- Manually dialing a phone number;
- Looking up a contact number in the phone's directory;
- Manipulating the GPS phone function in any way; or
- Browsing the internet or using any other phone application beyond taking and receiving calls.

This policy applies to all Town of Chelmsford employees\*:

- When the employee is operating a vehicle owned, leased or rented by the Town of Chelmsford.
- When the employee is operating a personal motor vehicle in connection with Town of Chelmsford business.
- When the motor vehicle is in motion on Town of Chelmsford property.
- When the cellular telephone or mobile electronic device is Town of Chelmsford owned or leased.
- When the employee is using a personal cellular telephone or mobile electronic device to conduct Town of Chelmsford business.

Safety must always be your first priority. We expect you to keep these calls brief. If, because of weather, traffic conditions, or any other reason, you are unable to concentrate fully on the road, you must either end the conversation or pull over and safely park your vehicle before resuming your call.

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Operators may use a hand held cell phone to call 911 to report an emergency. If possible, safely pull over and stop before calling 911. An emergency shall mean:

- The vehicle was disabled;
- Medical attention or assistance was required;
- Police intervention, fire department or other emergency services were necessary for the personal safety of the operator or a passenger or to otherwise ensure the safety of the public; or
- A disabled vehicle or an accident was present on a roadway.

## **5.0 EXCEPTION**

\*This policy does not apply to public safety personnel or emergency first responders using a mobile electronic device while operating an emergency services vehicle and engaged in the performance of their duties.

## **6.0 VIOLATION OF POLICY**

Violations of this policy will be considered a serious matter and may be subject to disciplinary action.

Employees who violate this policy will be given one documented verbal warning. If the policy is violated a second time by an employee, they will receive a written warning. The third time an employee is found to be in violation of this policy, it is grounds for further disciplinary action up to and including immediate dismissal.

## **7.0 DOCUMENT CONTROL**

The Town of Chelmsford's Safety Specialist maintains and distributes this procedure, and ensures that all outdated copies are replaced with the most current revision.

This procedure is reviewed annually. The procedure is also to be revised at the time any change that would materially alter the procedure is made

## **8.0 REVISION HISTORY**

Revision Date	Responsible Person
03/01/2020	S. Cerven, Municipal Safety Specialist