

Cellular Phone Use Guidelines

Drivers who are distracted by talking on cellular phones, dialing numbers, or texting while driving, continue to cause more and more vehicle accidents. Though we have all seen drivers talking on a cell phone while driving, is banning the use of cell phones while driving the answer?

There are numerous benefits to cell phone use. Two-thirds of new cell phone owners listed their main reason for purchasing a cell phone as a security measure. Nearly half of all cell phone owners have used their cell phones to report car trouble, medical emergencies, crimes and drunk or reckless drivers.

If you must talk while you drive, the safest way is to have a hands-free cell phone cradle installed in your car so you can speak while driving with two hands. Even so, remember to stay aware of what is going on around you on the road. It is easy to get so engrossed in conversation that you miss exits or fail to notice what other drivers are doing.

Some companies prohibit employees from using cell phones while driving on company time. In contrast, other companies adopt cell phone safety guidelines and focus on training and enforcement.

To protect themselves, companies should consider adding a section to their fleet safety program that establishes a written guideline for cell phone and texting device usage. These guidelines should be read and signed by each employee who has driving responsibilities. The restrictions should include the use of hands free headsets, since studies indicate it is the conversation, not the physical act of holding the device that contributes to the accidents.

Cell phone use policies may include:

1. Banning cell phone use while driving
2. Directing employees to comply with all state and local laws governing cell phone use
3. Prohibiting cell phone use while driving in adverse weather or difficult traffic conditions
4. Instructing employees to avoid calls involving stressful or emotional conversation
5. Requiring employees to pull off the road to place or receive all calls
6. Allowing voice mail to handle all calls
7. Planning calls prior to traveling or while on rest breaks whenever possible
8. Asking a passenger to make or take the call
9. Informing regular callers of your driving schedule and when you will be available to talk
10. Familiarizing yourself with the phone's features while the car is parked
11. Using a hands-free microphone while driving
12. Using the speed dial feature for frequently called numbers
13. Prohibiting taking notes while driving; pull off the road if you must read or write
14. Prohibiting use of non-hands-free wireless phones and texting devices while:
 - operating a company provided vehicle
 - operating a personal vehicle while on any company sponsored business
 - when driving on company property

If a motor vehicle law of a state is more stringent than the policy, that law will supersede your company's policy.

While there is no guaranteed defense to liability, developing appropriate policies, training, and enforcement mechanisms can help limit potential liability.