

Guidelines for developing a safe driving policy for British Columbia employers

As of January 1, 2010, *driving laws in British Columbia* are changing. Pending approval, in the new year, drivers will not be allowed to use hand-held cellphones or portable electronic devices while driving.

The new law also prohibits sending and reading emails and/or texting while driving as well operating or holding hand-held music or portable gaming devices such as MP3 players and iPods. In addition, it bans manual programming or adjusting of GPS systems, whether built into the vehicle or not, while driving.

There are a few exemptions: police, fire and ambulance workers who need to make calls to perform their duties and drivers who need to call 911.

While the new law bans the use of **hand-held** cellphones and portable electronic devices, drivers will be allowed to use **hands-free** cellphones that are built in or securely fixed to the vehicle and that can be activated by pushing a single button to make or receive calls. Pre-programmed and voice-activated GPS devices will also be allowed.

Drivers in the Graduated Licensing Program (GLP) won't be allowed to use either hand-held or hands-free phones or portable electronic devices.

Fines and penalties for breaking law

As of February 1, 2010, drivers caught talking on a hand-held device while driving will be fined \$167. If caught texting or emailing, drivers will receive an additional three penalty points. Drivers in the GLP will not be allowed to use any cellphone or portable electronic device and if they are caught doing so, they will receive both a \$167 fine and three penalty points.

The case for change

These restrictions are being introduced to make our roads safer and reduce the number of preventable accidents. Did you know that cell phone use while driving is the number one cause of distracted driving? On average, approximately 117 people die each year in B.C. and 1,400 are sent to hospital because someone was not paying attention behind the wheel.

In fact, studies have determined that the risk of a collision when using a cellular telephone is four times higher than the risk when a cellular telephone is not being used.

Other research has found that:

- Drivers using a cell phone are as impaired as impaired drivers with .08 level of blood alcohol.
- Texting while driving decreases your reaction time by 35 per cent and increases your risk of drifting into another lane.
- Talking to a passenger does not cause the same amount of distraction as using a cell phone because the passenger can see the traffic situation and adapt the conversation accordingly.

Help your organization make the change – develop a best practice driving and cellphone use policy now

While the new law allows drivers to use hands-free devices, the best practice when it comes to cellphones and driving is not to use cellphones or portable electronic devices at all as research has shown that hands-free units offer no safety advantage over hand-held units.

To help your organization develop a best-practice safe driving policy for its employees, contractors and volunteers that governs the use of cellphones, the BCAA Traffic Safety Foundation has developed the following guidelines and a sample policy which can be adapted to suit the specific needs of your organization.

This material is provided as information for employers to include in their own policies and the TSF will not be responsible for their use or interpretation.

1. Establish a general policy framework

This section should outline the intent and scope of the policy. While the new law allows the use of hands-free devices while driving, your organization may decide to ban the use of all cellphones and portable electronic devices while driving.

Sample language for this section could include:

- The intent of this policy is to increase the safety of its employees, contractors and volunteers while driving on behalf of the organization.
- This policy has been established to govern the practices of its employees, contractors and volunteers while driving on business for the organization.
- This policy is mandatory and applies to all employees, contractors and volunteers who are required to drive to carry out the work of the organization in any type of vehicle whether their own, a leased, rented or company vehicle. It also covers any period of time when driving for work associated with the organization, including those being reimbursed for travel time to and from work.
- This policy governs the use of both company and personal cellphone and electronic devices when driving on business for the organization.

If your organization chooses to allow the use of hands-free devices while driving, it will be important to let employees know whether the company will supply or subsidize hands-free devices that will allow employees to comply with the law.

2. Outline the responsibilities of drivers when driving on behalf of the organization.

Sample language for this section could include:

All employees, contractors and volunteers, while driving on business, must:

- Have a valid BC driver's license in the appropriate class for the motor vehicle being driven.
- Follow all "rules of the road", as defined by the Motor Vehicle Act and Regulations including driving at or below the posted speed limit and wearing a seat belt at all times.
- Ensure that all passengers in the motor vehicle wear seat belts or use an age/size appropriate child car seat or booster seat.
- Should a Motor Vehicle Act ticket be issued, assume full responsibility for any ticket such as exceeding the posted speed limit or failing to obey other motor vehicle rules and regulations as applicable, or for parking or other by-law infractions.

- NOT operate a motor vehicle after consuming alcohol or other substance (including prescription and non-prescription medications) that could legally impair their alertness or judgment. Discipline measures will be taken for any 24-hour prohibition received.
- NOT use a cellphone or other portable electronic device while under control of the vehicle.
- NOT read or send emails or text messages when under control of the vehicle.
- NOT program or adjust a GPS system while under control of the vehicle.
- Report any change to their driving status or any motor vehicle related incident in which they were involved while engaged in business on behalf of the organization, including those that do not result in damage or injury, to their manager as soon as possible.

3. Outline the organization's commitment to its employees

This might include:

- The organization will provide a copy of and promote the adoption of this policy to all its employees, contractors and volunteers and will expect compliance at all times.
- The organization will not require its employees, contractors or volunteers to drive under conditions which are considered unsafe and/or likely to create an unsafe environment, physical distress, fatigue, etc.
- The vehicles provided by the organization (owned or leased) will be maintained in safe operating condition and will be serviced according to the manufacturer's recommendations.
- All drivers will receive adequate training as needed to be comfortable with driving the vehicle(s) they are required to drive to conduct the organization's business.
- Information will be gathered on all incidents that occur while drivers are conducting the organization's business in order to improve safe driving practices, policies and procedures.
- The Safe Driving Policy is reviewed annually to ensure the organization maintains the highest degree of safe driving practices.

4. Define the consequences for non compliance

This is a key aspect of the policy and must clearly outline the consequences for non compliance.

For example:

- The organization will enforce its Safe Driving Policy with a range of disciplinary measures up to and including termination of employment or termination of contract.
- Each case of non compliance will be reviewed by employee's supervisor or manager.
- The final decision on the consequences for not complying with the Safe Driving Policy will be determined by (name of leader) in consultation with (name of leader) as appropriate.

The bottom line

A complete cellphone driving ban reinforces the commitment of companies to create the safest possible work environment for their employees.

Sample safe driving policy

Attached is a *sample of a best-practice safe driving policy* which organizations may adapt to develop their own policy that meets the specific needs of their organization. This sample bans the use of all cellphones and portable electronic devices when driving as studies have demonstrated that hands-free units are no safer than hand-held units.

Tips for driving cellphone free

The following tips will help your employees turn off their cellphones while driving and prepare them now for the new rules of the road being introduced in January.

1. Plan ahead. Call or send a message before leaving your desk or getting into your car.
2. Let your callers know that you are a cellphone-free driver and are not available to take or make calls while in transit.
3. Put a message on your cellphone voicemail that says you are either driving or in a meeting and will call them back as soon as possible.
4. Turn off your cellphone/portable electronic device before you start driving.
5. If you are still tempted, put your wireless device in your briefcase and your briefcase in the trunk.
6. Be especially careful at intersections as this is where most crashes occur. Do not use a cellphone or portable electronic device when at a stoplight.
7. Let someone else drive so that you can freely make or receive calls.
8. If you are travelling with a passenger, get them to operate the phone.
9. Change your mind set. Think of cellphone-free driving as downtime.
10. Be a role model for other drivers whether it is a member of your family, friend or colleague.
11. Encourage others to go cellphone free while driving as well.

Other resources

Coalition for Cellphone-free Driving, an Alberta-based organization, is committed to influencing and supporting companies and organizations to reduce cell phone use while driving. Their website contains a host of information and tools about this issue.

For more information

- Visit our website at www.bcaatsf.ca
- E-mail us at www.trafficsafety@bcaa.ca