Administrative Procedure 411
Distracted Driving

The Limestone District School Board is committed to the health and safety of its employees and therefore Trustees, staff and volunteers who drive for purposes of school and/or work-related activities shall comply with Bill 118 - The Countering Distracted Driving and Promoting Green Transportation Act, 2009. This legislation amends the Highway Traffic Act and expressly prohibits the presence in a vehicle of a television, computer or other device with a display screen if the display screen is visible to the driver. This prohibition does not apply to global positioning system navigation devices, commercially used logistical transportation tracking systems, collision avoidance systems or instrument display screens providing information regarding the status of systems in the vehicle. Of significance, the Bill 118 amendments also prohibit the holding or use of hand-held wireless communication devices and electronic entertainment devices, including cell phones and other mobile devices. The hand-held device prohibition does not apply to the use of such devices in "hands-free" mode, nor does it apply if the vehicle is stopped, and is off the traveled part of a road and is not obstructing traffic.

The Board is committed to reducing driver distraction and promoting safe driving practices as well as to establishing clear expectations regarding the safety of students when they are being transported by system staff and volunteers. Therefore, all individuals in the workplace, at all levels and functions, must accept the responsibilities involved in achieving the spirit and intent of this Procedure in order that we may not only ensure the safety of our Trustees, staff, students and volunteers while driving, but also to ensure the safety of the general public. To this end, all students, staff, Trustees and volunteers shall not use wireless communication devices while driving, unless using a "hands-free" device.

1. Distracted Driving

1.1. While driving, including when stopped in traffic or at a red light, it is illegal to:

- use a phone or other hand-held wireless communication device to text or dial – it is only permissible to touch a device to call 911 in an emergency

- use a hand-held electronic entertainment device, such as a tablet or portable gaming console
- view display screens unrelated to driving, such as watching a video
- program a GPS device, except by voice commands

1.2. It is permissible to use hands-free wireless communication devices with an earpiece, wearable technology, or Bluetooth. You can view GPS display screens as long as they are built into your vehicle's dashboard or securely mounted on the dashboard.

2. Responsibilities of Employees

2.1. No employee shall drive a motor vehicle on a highway, for purposes of Board business, if the display screen of a television, computer or other device in the motor vehicle is visible to the driver. No employee shall hold or operate a hand-held communication or entertainment device while driving for work purposes. This includes devices that are the personal property of the employee when they are driving for work purposes. For clarification, where an employee is required to drive for purposes of work, the following activities are expressly prohibited:

- Receiving or making a phone call using a hand-held device,
- Using a hand-held communication device (example – cell phone),
- Text messaging,
- Using a hand-held entertainment device,
- Having an operational computer screen that is visible to the driver, other than a global positioning system.

Communication devices may only be used in a hands-free manner while operating a

motorized vehicle. If using hands-free technology while driving (example - blue tooth, global positioning system) the operator controls must be set prior to driving with the intention of eliminating distraction. For greater clarity, the following are allowed:

- Driving a motor vehicle while using a dash mounted cell phone with hand dialing.
- Driving using a cell phone with an earpiece or headset using voice dialing or plugged into the vehicle's sound system.
- Driving a motor vehicle while using a hand-held device to contact ambulance, police or fire department emergency services.
- Driving a motor vehicle while using a dash mounted global positioning navigation system (GPS) or mounted portable media player (iPod, MP3 Player).
- Driving using a portable audio player that has been plugged into the vehicle's sound system.
- Driving a motor vehicle while using a hand-held device when the motor vehicle is off the roadway, lawfully parked on the roadway, is not in motion, and is not impeding traffic.
- Driving a motor vehicle while viewing and using a laptop computer as a mounted global positioning navigation system (GPS).

2.3. If an employee or volunteer is transporting students, there shall be no use of any communication or entertainment device permitted except for purposes as outlined in item 2.4 below.

2.4. In the event of an emergency while driving that would endanger either the driver’s safety or the safety of others, and it requires the use of a hand-held communication

device to call (fire, ambulance or police) the staff member shall:

- Pull over safely if conditions allow,
- Keep the call as brief as possible telling the other party that you are on the road,
- End the conversation immediately if driving conditions or the situation becomes hazardous

2.5. To avoid cell phone interruptions while driving, employees are encouraged to take the following precautions when driving:

- Plan for safe locations to stop (for example, rest stops or commuter lots) to make and receive calls
- Before you start driving turn off your cellular phone
- Set the “Do Not Disturb While Driving” control feature
- Allow calls to go to voice mail or allow a passenger to make and receive calls
- Record an outgoing voice message that lets callers know you are on the road

2.6. All Limestone District School Board Trustees, staff and volunteers are expected to comply with the legislation and this Procedure. Ontario drivers could be fined up to $500 for using their hand-held devices to talk, email or send text messages while behind the wheel. Violators could also be charged with careless driving and face a maximum fine of $1,000 and six demerit points, possible license suspension and jail time. The Limestone District School Board will not assume responsibility or liability for an employee’s failure to comply with provincial legislation and this supplemental Procedure.

Legal References:

Bill 118, Countering Distracted Driving and Promoting Green Transportation Highway Traffic Act, Section 78