



State of Ohio Administrative Policy

Distracted Driving

No:

Human Resources
HR-47

Effective:

February 21, 2020

Issued By:

Matt Damschroder, Director

1.0 Purpose

The State of Ohio is committed to protecting the safety of all state employees, motorists, passengers, and pedestrians on Ohio's roadways and recognizes that distracted driving can impair safe driving and contribute to vehicle crashes. The purpose of this policy is to address the dangers caused by distracted driving and reduce the possibility of vehicle crashes involving state employees and others. Generally, if you cannot devote your full attention to driving because of some other activity, it is a distraction. This policy only applies to state employees at agencies, boards and commissions under the authority of the Governor and contractors performing state business for those agencies. This policy does not apply to separately elected officials.

A glossary of terms in this policy is located in Appendix A – Definitions. The first occurrence of a defined term beginning in the section that follows is in ***bold italics*** and linked to Appendix A. To go directly to a term's definition, click on the bold and italicized term. To return to the body of the policy, click on the defined term.

2.0 Policy

State employees are prohibited from engaging in certain activities that, by their nature, will result in ***distracted driving*** while 1) operating a ***state-owned vehicle*** or 2) operating a ***personally-owned*** vehicle while on state time and/or conducting state business. Certain activities, which may not necessarily result in distracted driving but could divert the driver's focus, should only be engaged in with extreme caution while operating a state-owned vehicle or personally-owned vehicle while on state time and/or conducting state business.

In addition to avoiding activities that result in distracted driving, state employees are prohibited from driving in an impaired state. Impairment includes, but is not limited to, driving under the influence of alcohol or drugs, or driving while drowsy.

2.1 **Prohibited Activities:** State employees are prohibited from engaging in any of the following activities while 1) operating a state-owned vehicle or 2) operating a personally-owned vehicle while on state time and/or conducting state business:

- Using a mobile (cellular) device to send, compose, or read **text messages** or emails, taking photographs, accessing the Internet, applications, or data files, or any other similar tasks that can be performed on a mobile (cellular) device that requires a driver to divert their focus from operating the vehicle;
- Using a hand-held mobile (cellular) device to talk on the phone, make or receive calls, unless hands-free operation is used (see Section 2.2 below);
- Operating and/or using computer/laptop or tablet (e.g. iPad);
- Using earphones, earbuds, earplugs, or any device that covers all or a portion of both ears, unless a specific exception applies under R.C. 4511.84;
- Manual programming Global Positioning System (GPS) or navigation applications or devices;
- Reading (e.g. a book or a newspaper);
- Personal Grooming (e.g. shaving, applying makeup); and
- Eating.

The use of a voice-activated GPS or navigation application or device is allowed while a vehicle is moving, but the vehicle must be stopped to manually program or modify the system. The driver shall program the application or device in advance of driving or use voice-activated programming so that drivers are not manually typing or inputting information while driving. If a manual modification is required while en route, the driver must exit the roadway and park prior to modifying the system.

2.1.1 Certain activities, although not expressly listed in the above section, may still result in distracted driving, and are therefore prohibited. State employees are also required to follow all laws, rules, and ordinances for operating a motor vehicle. There may be other activities that are prohibited by law that have not been expressly listed in this policy. State employees shall exercise extreme caution when operating a motor vehicle and avoid engaging in any activity that could result in distracted driving as defined by this policy.

2.2 **Discouraged Activities:** State employees are encouraged to exercise extreme caution while engaging in the following activities while 1) operating a state-owned vehicle or 2) operating a personally-owned vehicle while on state time and/or conducting state business, as they reduce the driver's focus:

- Adjusting the radio or any other media accessories;
- Adjusting vehicle climate controls;
- Conversations with passengers;
- Drinking (e.g. water or coffee); and
- Using a mobile (cellular) device to talk on the phone, make or receive calls, using hands-free operation for dialing or answering the call, unless otherwise prohibited by law or agency policy.

2.3 **Exceptions:** The following activities are exempted from this policy and are not considered a prohibited or discouraged activity pursuant to sections 2.1 or 2.2:

- Use of a mobile (cellular) device or any other device to make an emergency call (e.g. 911);
- Use of the Multi-Agency Radio Communication System (MARCS) in performance of a state employee's job duties; and
- Use of technology, communication devices, emergency equipment and/or any other type of device by law enforcement or other personnel as required and in the performance of their job duties.

2.4 **Implementation:** Agencies, boards or commissions with existing policies which address driving on state time and/or while conducting state business shall update policies for consistency with this statewide policy. Agencies, boards or commissions shall also implement work rules to address employee compliance with this statewide policy.

Within 30 days of issuance of this policy, agencies shall provide a copy of the policy to all employees. Employees newly hired after the issuance of this policy shall be provided a copy within 30 days of hire.

3.0 Authority

R.C. 124.09; 125.832; 4511.204; 4511.991; State of Ohio Administrative Policy HR-39, State of Ohio Administrative Policy VF-01

4.0 Revision History

Date	Description of Change
02/21/2020	Original policy.

5.0 Inquiries

Direct inquiries about this policy to:

Labor Relations and Human Resources Policy
Office of Collective Bargaining
Ohio Department of Administrative Services
1602 West Broad Street
Columbus, Ohio 43223

614.752.5393 | DASHRD.HRPolicy@das.ohio.gov

State of Ohio Administrative Policies may be found online at www.das.ohio.gov/forStateAgencies/Policies.aspx

Appendix A - Definitions

- a. **Distracted Driving.** The diversion of attention from driving, as a result of the driver focusing their attention on something other than driving, including but not limited to,

an object, activity, event or person that reduces the driver's cognitive awareness, decision-making related to driving, or performance which leads to an increased risk of driver-error, near crashes or crashes.

- b. State-Owned Vehicle. Any automobile, car, minivan, cargo van, passenger van, sport utility vehicle, motor vehicle with auxiliary equipment or trailer, truck, aircraft or watercraft that is operated, owned, or leased by a state agency, board or commission.
- c. Personally-Owned Vehicle. Any automobile, car, minivan, cargo van, passenger van, sport utility vehicle, motor vehicle with auxiliary equipment or trailer, truck, aircraft or watercraft that is operated, owned or leased by a state employee that is used while on state time and/or conducting state business.
- d. Text Messages. A short message sent electronically which usually occurs from one cell phone to another.

Appendix B - Resources

Document Name
Ohio Distracted Driving Task Force, Task Force Report and Recommendations https://content.govdelivery.com/attachments/OHOOD/2019/04/24/file_attachments/1198896/Ohio%20Distracted%20Driving%20Task%20Force%20Report%20FINAL.pdf