

# Distracted Driving Policy

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## Highlights:

- 5,474 people died and about 448,000 were injured in 2009 in vehicle crashes that involved distracted driving
- Top safety performing companies are those with policies that prohibit the use of both handheld and hands-free cell phones
- A sample policy is provided in this document that can form the basis for establishing such a policy

Distracted driving is operating a vehicle while engaging in any non-driving activity that may interfere with controlling the vehicle, seeing a potential risk of collision, and/or reacting in time to avoid a crash. There seems to be an increasing number of distractions for drivers and these distractions are being implicated as a contributing factor in more and more vehicle crashes.

A number of states have enacted laws and the federal government is implementing regulations dealing with some of the distractions. These should help reduce the number of injuries and deaths resulting from crashes involving distracted driving.

However, these laws and rules are only part of the solution. Companies who have employees driving on company business should implement and enforce their own policies on distracted driving.

## Facts about Distracted Driving

Some research-based facts on distracted driving:

- Distracted driving was reported in 20 percent of injury crashes in 2009. *Source: National Highway Traffic Safety Administration (NHTSA)*
- 995 deaths (18% of fatalities in crashes related to distracted driving) involved reports of a cell phone being a distraction. *Source: NHTSA*
- 5,474 people died and about 448,000 were injured in 2009 in vehicle crashes that involved distracted driving. *Source: Fatality Analysis Reporting System and National Automotive Sampling System General Estimates System*
- Use of either a hand-held or a hands-free cell phone increases a driver's reaction time to the same degree as having a blood alcohol concentration of 0.08 percent. *Source: University of Utah*

Three main types of distraction that affect driving safety are:

- **Visual:**  
A distraction that takes your eyes off of the road.
- **Manual:**  
A distraction that takes one or both of your hands off of the wheel.
- **Cognitive:**  
A distraction that diverts your mental focus to something other than driving.

While any distraction while driving increases the risk of a crash, texting while driving, which involves all three types of distraction, is a particularly high risk activity. A Federal Motor Carrier Safety Administration (FMCSA) sponsored study published in 2009 estimated that a person texting while driving is 23 times more likely to be involved in a vehicle crash, a near-crash, or other dangerous event. A dangerous event is one, such as unintentional lane deviation, which significantly increases the risk of a vehicle crash.

This study also estimated the increased risk for other activities, some of which are listed here:

Activity	Increased Risk
Interacting with dispatching device	10 times more likely to be involved in crash, etc.
Writing on a pad or notebook	9 times more likely
Dialing a cell phone	6 times more likely
Looking at a map	7 times more likely
Personal grooming	4 times more likely
Reaching for an object	3 times more likely

## Government Action

Several states have enacted laws prohibiting or restricting the use of electronic devices while driving. Most of these focus on use of cell phones or texting. The number of states with such laws continues to increase. Information on current state laws on distracted driving can be found on the Insurance Institute for Highway Safety website at [www.iihs.org/laws/cellphonelaws.aspx](http://www.iihs.org/laws/cellphonelaws.aspx). The FMCSA has also adopted or proposed rules and regulations that apply to drivers of commercial motor vehicles.

The US Department of Transportation has created a website on distracted driving which is located at [www.distraction.gov](http://www.distraction.gov). This site contains current news about distracted driving, facts and statistics, links to studies related to distracted driving and other information.

## Creating a Company Policy

A recent study of company vehicle fleet crash rates showed that the top safety performing companies are those with policies that prohibit the use of both handheld and hands-free cell phones. The policies of these companies included significant consequences for employees who violate them. The study, which was sponsored by the Network of Employers for Traffic Safety and released in late 2010, covered 45 companies with a combined total of 400,000 vehicles that traveled about 8 billion miles.

The policy should establish restrictions on when and how cell phones and other communication devices are used. It should also address other distractions.

Banning the carrying of cell phones or other communication devices in vehicles is not recommended. There may be important safety reasons why workers have cell phones or other communication devices. Also, some state OSHA laws expressly require some workers to carry communication devices when they work alone.

### Best Practices for Creating a Driver Distraction Policy

As part of preparing to develop a policy, managers should be aware of, and ensure that drivers are aware of, state and federal laws that may apply regarding the use of mobile devices while operating a motor vehicle.

In addition to writing a policy, a procedure must be implemented that will ensure that the policy is consistently enforced.

The policy should:

- Address not only the use of cell phones, but also mobile phones, PDAs, BlackBerrys, MP3 players, electronic dispatching devices, GPS, two-way radios, etc.
- Apply to the operation of any vehicle on company business, whether the vehicle is owned by the company or by the employee.
- Prohibit the use of communication devices, whether hand-held or hands-free, to conduct any conversation or communication, business or personal, while driving. As an option to an outright ban, if a call is urgent and must be answered require that employees use a hands free device and keep the call brief or park the vehicle.

- Require drivers to pull off the roadway to a safe spot before answering a call and to remain parked until the conversation ends.
- Prohibit others in your organization from calling or texting workers when they're driving.
- Require that devices such as GPS systems be programmed before putting the vehicle in motion and that any dispatching devices be used only when the vehicle is safely parked.
- Require that drivers secure all objects in the vehicle before driving and that they avoid any activity that takes the driver's eyes off the road while the vehicle is moving such as reaching for objects or adjusting controls.
- Establish consequences of violating the policy up to and including termination. (Note: If serious personnel actions, such as termination, will be part of the policy, it is strongly recommended that the policy be reviewed by an attorney.)

## References:

Driver Distraction in Commercial Vehicle Operations, Federal Motor Carrier Safety Administration, 2009.  
[www.distraction.gov/research/PDF-Files/Driver-Distraction-Commercial-Vehicle-Operations.pdf](http://www.distraction.gov/research/PDF-Files/Driver-Distraction-Commercial-Vehicle-Operations.pdf)

Network of Employers for Traffic Safety – [www.trafficsafety.org](http://www.trafficsafety.org)

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## **<Company Name> Policy on Distracted Driving**

The dangers of distracted driving are a serious concern to <Company Name>. Recent news reports of deadly crashes involving distracted drivers highlight a growing danger on our roads. Because of this concern, we have established this policy to protect the safety of our employees, the safety of the general public, and our Company's assets and reputation.

The following activities, while driving on company business, are prohibited:

- Answering or making phone calls;
- Engaging in conversations using phones, two-way radios or other communication devices;
- Creating, reading or responding to e-mails and/or text messages;
- Entering information into an electronic navigation system (GPS), computer, dispatch device or other electronic device which requires the user to enter information; and
- Use of headphones, earphones, or similar to listen to radio, MP3 players, CD players or other entertainment devices.

The following requirements apply to all employees and managers of <Company Name>:

- A vehicle being driven on company business must be parked in a legal and safe location before placing or answering a phone call, reading or responding to e-mails/text messages or similar.
- No calls are to be made or text messages sent to employees who are driving or likely to be driving by another employee or manager of the company unless an emergency requires immediate contact.
- Employees or managers receiving calls from other employees who are, or are likely to be, driving are to ask if they are driving and if so, asked them to call back when they are safely parked.
- Addresses or other information must be entered into a navigation or dispatch device prior to putting the vehicle into motion.
- Before starting the vehicle, all objects in the vehicle are to be secured, placed on the floor or other location where they will not fall or otherwise distract the driver.
- Drivers are to avoid reaching for objects, papers, maps, etc. while the vehicle in motion.
- Drivers are to avoid any activity that diverts attention from the driving task such as reading, writing, adjusting controls, etc. unless the vehicle is stopped or parked.

The prohibited activities and required practices listed above apply to:

- Operating of any vehicle on <Company Name> business regardless of whether the vehicle is owned by the company or the employee;
- Both handheld and hands-free phones and other communication devices;
- All devices, whether owned by the company or by the employee; and
- All conversations, whether personal or business.

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### **Statement of Acknowledgment**

I have read and will comply with the <Company Name> Policy on Distracted Driving as stated above.

I understand that violations of this policy will be considered a serious offense and may result in disciplinary action up to and including termination of my employment with <Company Name>.

I acknowledge that I have received a copy of this policy including the Statement of Acknowledgment.

Name (print): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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Witness name (print): \_\_\_\_\_ Title: \_\_\_\_\_

Witness signature: \_\_\_\_\_ Date: \_\_\_\_\_