

CITY OF PORTSMOUTH
ADMINISTRATIVE POLICY

SAFETY #3

SEPTEMBER 2010

SUBJECT: Use of Electronic Handheld Communication Devices while Operating City Vehicles

I. PURPOSE:

The purpose of this policy is to provide the general guidelines for the proper usage of electronic handheld communication devices while operating a moving vehicle, owned or leased by the City in accordance with City policy and for City business. The prohibited devices include, but are by no means limited to, radios not issued by the City, cellular telephones, PDA's, pagers, and wireless air cards. When followed, this policy will help City employees maintain a safe working environment while working offsite or in the field.

II. APPLICABILITY:

This policy applies to all City employees, except sworn public safety personnel operating emergency vehicles. Sworn Public Safety personnel should refer to their departmental policies. All public safety policies regarding handheld communication devices shall be reviewed and approved by the City Manager or his designee.

III. GENERAL:

The following are general provisions of this policy that are to be reviewed and understood by all nonsworn City employees:

- A. All of the following guidelines of this policy are subject to the provisions of the City's Administrative Policy regarding the appropriate use of City vehicles (City of Portsmouth AP #6). The assignment of a City vehicle or of a City electronic handheld communication device is made for the purpose of improving the City's ability to provide services.
- B. The "use" of an electronic handheld communication device is to be generally, and by no means exclusively, defined as:
 - 1. Using the device to communicate via telephone call, email, or text message while driving a city vehicle.
 - 2. Using the device to check telephone calls, emails, text messages, or browse the Internet while driving a city vehicle.

3. Using the device's tools or multi-media features such as a camera, radio/mp3 capabilities, GPS/navigation, calculator, calendar, or any other feature that could in any way be classified as a running application on the device while driving a city vehicle.

IV. GUIDELINES:

The City recognizes the importance of maintaining open lines of work-related communication between employees and department supervisory personnel working offsite or in the field, and operating a City vehicle. **However, for safety considerations the use of any electronic handheld communication device for any reason and in any capacity is strictly prohibited while the vehicle is in motion.**

While operating a City vehicle, employees may find it necessary to contact other employees or their Department Heads for work-related purposes. While this use is generally not endorsed by the City, in these instances the use of an electronic handheld communication device is permitted, only under the following conditions:

- A. When the employee is stopped in a safe and legal parking area off the road and places the vehicle in 'park' or turns it off completely.
- B. When driving a City Vehicle, using a City-issued two-way radio that does not in any way involve dialing or pushing any buttons other than those necessary to talk is permitted.

V. OPERATOR/DRIVER RESPONSIBILITIES:

- A. The operator/driver is responsible for reviewing and understanding the provisions of this policy. If there are any questions regarding this policy, it is the operator/driver's responsibility to report to their Department Head for clarification prior to operating a City vehicle while carrying an electronic handheld communication device.
- B. In the event that an electronic handheld communication device is used while the employee is operating a moving City vehicle in compliance with this policy's guidelines, it is the operator/driver's responsibility to limit the usage to the least amount of time necessary to aid in fulfillment of the employee's job responsibilities.
- C. The usage records stored within the device may be subject to review by the City Manager or appropriate Department Head for City work-related purposes and for compliance with City policies, including but not limited to, the City's Administrative Policy #10, regarding employee "Standards of Conduct" and Administrative Policy #1, regarding the appropriate and proper usage of the City's electronic hardware, software, and communication devices.

- D. The operator/driver is responsible for violations and will be subject to the Standards of Conduct, AP #10, and other applicable policies.

VI. EXCEPTIONS

- A. Employees may use an electronic handheld communication device to report an emergency to 911 while operating a City vehicle if the circumstances do not permit the driver to stop or park.
- B. Exceptions or supplemental information to these definitions and guidelines may be made and applied on a case-by-case basis as determined by the City Manager and the appropriate Department Head or his/her designee.

VI. DISCLOSURE STATEMENT

I hereby acknowledge that I have been provided a copy of the Use of Electronic Handheld Communication Devices while Operating City Vehicles Policy – September 2010 version (#S3) for the City of Portsmouth and that I have read it. I understand and agree to comply with the provisions of the policy stated herein. I understand that this Disclosure Statement will be placed in my personnel file as a record that I have been provided with this important policy.

I further understand that compliance with this policy is a requirement of my employment with the City of Portsmouth. Any violation of this policy may result in revocation of my information technology privileges and may subject me to disciplinary action, including termination of my employment and/or legal prosecution.

Department

Printed Employee's Name

Employee's Signature

Date

Printed Department Head's Name

Department Head Signature

Date