



Safety Regulation Alert: DOT Bans Texting for CMV Drivers

February 10, 2010

Dear Client:

SCI's services include providing timely and critical information that may impact your business. The intent of this communication is to provide you with an overview and highlights of new legislation, *Best Practices* recommendations to help your company maintain compliance and additional support and resources should you have questions or concerns.

Overview

On 01.27.10, the Department of Transportation (DOT) issued a ban on all interstate drivers of Commercial Motor Vehicles (CMVs) such as large trucks and buses from sending text messages from any handheld cell phone or other wireless electronic devices while driving, subject to the [Federal Motor Carrier Safety Regulations \(FMCSRs\)](#). This new policy does not apply to talking on cellular phones or affect civilian motorists.

This new regulation affects all business subject to DOT requirements. SCI is working hard to ensure our Clients are kept informed regarding the latest employment regulations. By providing *Best Practice* recommendations and solutions, SCI hopes to help positively impact your operations and bottom line.

Highlights

According to the research released by the [Federal Motor Carrier Safety Administration \(FMCSA\)](#) in October 2009, texting creates a significant risk to the safe operation of CMVs. The agency has found that people texting while driving were 23.2 times more likely to be involved in a safety-critical event, such as an accident, than those driving without distractions.

The prohibition of texting while operating on public roads is the latest in a series of actions taken by the DOT to combat the hazards of distracted driving. During the Distracted Driving Summit in September 2009, the U.S. Transportation Secretary Ray LaHood declared the Department's plan to follow this regulatory action, as well as rulemakings to eliminate the threats caused by distracted driving. President Barack Obama also signed an Executive Order effective December 30, 2009, directing federal employees not to engage in text messaging while driving government-owned vehicles or with government-owned equipment.

Fines: Truck and bus drivers who text while driving commercial vehicles may be subject to civil or criminal penalties of up to \$2,750.

Best Practices Recommendations

With this new policy in place, it is *vital for SCI's Clients to review their existing driving protocols* to ensure compliance with the current guidelines. To help employers maintain compliance, SCI encourages our Clients to:

- Develop comprehensive and broad-based "texting-while-driving" policies and training, and train supervisors and human resource staff on the Company's policy.

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- Make sure to take necessary steps to educate drivers operating CMVs on the particulars of this new policy.
- Use a variety of organizational channels to communicate the Company's commitment to the health and safety of all its drivers. Specifically, Clients should communicate the new regulations regarding the non-use of cell phones and texting.
- Access the web resources listed below.

Additional Support and Resources

Our Service Professionals and SCI's resources can assist you in gaining a better understanding of the new policy and help to identify additional strategies to end distracted driving. You can always count on SCI to help avoid the added time and cost associated in managing your workplace concerns.

Access these websites for further training tips and information about the law:

- CMV Web-Based Driving Tips: www.fmcsa.dot.gov/about/outreach/education/driverTips/
Each category contains driving tips, interesting facts, video clips, video description and training exercise questions.
- DMV News Release:
www.fmcsa.dot.gov/about/news/news-releases/2010/Federal-Ban-on-Texting.aspx
- Regulatory Guidance from the DOT:
www.fmcsa.dot.gov/rules-regulations/administration/rulemakings/notices/Texting-by-Commercial-Motor-Vehicle.pdf

All content in this notice is based on current information and supersedes previous communications regarding this topic. If you have any questions or concerns, please contact your assigned Service Professional.

Sincerely,

SCI Companies