
**SUBJECT: RESTRICTIONS ON THE USE OF HAND-HELD MOBILE
TELEPHONES WHILE OPERATING A MOTOR VEHICLE**

1.0 SCOPE

This policy sets forth restrictions on the use of hand-held mobile telephones by NYPA employees while operating NYPA motor vehicles or while operating other motor vehicles on Authority business.

2.0 IMPLEMENTATION

The staffs of all Authority Business Units and Departments shall adhere to this policy. Implementing procedures shall be prepared as necessary to provide appropriate guidance in meeting the management controls described. Recommendations for changes to this policy or a new corporate policy shall be processed in accordance with CP1-1, "Corporate Policy Program Administration".

3.0 MANAGEMENT CONTROLS

3.1 Definitions

- 3.1.1 The term "use" for the purposes of this policy is defined as holding a mobile telephone to, or in the immediate vicinity of, the driver's ear, **or dialing, texting, reaching for while operating a motor vehicle.**
- 3.1.2 The term "mobile telephone" shall mean a telephone that can be used without an access line for service, including, but not limited to, cellular, analog, wireless and digital telephones, and **any portable electronic device. Two-way citizen band radios are exempt.**
- 3.1.3 The term "motor vehicle" shall mean every vehicle that is propelled by any power other than muscular power.
- 3.1.4 The term "hands-free device" shall mean an attachment, add-on, addition to a mobile telephone, or other piece of equipment, whether or not permanently installed in a motor vehicle, that when operative allows the operator of a motor vehicle to maintain both hands on the motor vehicle's steering device.

3.2 General

- 3.2.1 Except for the situations described in Section 3.2.2 below, employees are prohibited from using hand-held mobile telephones while (1) operating NYPA motor vehicles, or (2) operating other motor vehicles when conducting Authority business.
- 3.2.2 Employees may use hand-held mobile telephones for the sole purpose of communicating with any of the following regarding an emergency situation: an emergency response operator; a hospital, physician's office or health clinic; an ambulance company or corps; a fire department, district or company; or a police department.
- 3.2.3 Employees may use a mobile telephone equipped with a hands-free device, such as headsets or speakerphones, in a manner that permits the operator of the motor vehicle to maintain both hands on the motor vehicle's steering device.
- 3.2.4 A violation of this policy may result in the issuance of a written warning to the employee. Any violation of this policy by an employee who has already been issued a written warning may result in employee discipline, including the confiscation of the mobile telephone.

3.3 Responsibilities

- 3.3.1 Each Business Unit and Department Head shall ensure that his or her staff is made aware of this policy.
- 3.3.2 Regional Managers shall conform and update all communications equipment currently issued to employees at the facilities or installed in motor vehicles maintained by the facilities in order to provide employees with a safe method of communications while driving that does not require the use of hand-held mobile telephones.
- 3.3.3 Systems Communications Engineering shall conform and update all communications equipment currently issued to employees to ensure a safe method of communications for employees while driving that does not require the use of hand-held mobile telephones.
- 3.3.4 Corporate Support Services/Fleet shall ensure that all communications equipment installed in NYPA motor vehicles are retrofitted to ensure a safe method of communications while driving that does not require the use of hand-held mobile telephones.

3.3.5 Travel Coordinators at Power Business Travel (the Power Authority's Corporate Travel Desk) shall inform employees renting motor vehicles for Authority business of the restrictions set forth in this policy.

3.3.6 Each employee shall be responsible for his or her compliance with this policy.

4.0 **REFERENCES**

4.1 CP 1-1 Corporate Policy Program Administration

President and Chief Operating Officer