

Jefferson County

Employee Administrative Rules & Regulations

Distracted Driving

Rule Number: 5.2.2025

Date Established: 1/15/2025

1.0 PURPOSE

Jefferson County seeks to advance employee and public safety by establishing this Distracted Driving Rule. To that end, employees operating Jefferson County motor vehicles or equipment will not engage in distracted driving. For the purposes of this Rule, distracted driving is defined as any mode of operation that takes your attention away from driving.

2.0 DEFINITIONS

Distracted driving includes performing the following activities, listed by level of hazard, while simultaneously operating a vehicle or piece of equipment. For the purposes of this Rule, the use of personal or County-issued devices will constitute the use of a device under this rule.

2.1 Level 1

- 2.1.a Writing, sending, or reading text messages, emails, or social media posts (Jefferson County Rolling Stock Operator's Conduct Manual, 2023; Alabama Driver License, 2021).
- 2.1.b Recording or broadcasting video on a mobile phone or portable wireless device.
- 2.1.c Watching a video or movie on a mobile phone or portable wireless device.

2.2 Level 2

- 2.2.a Holding or supporting, with any body part, a mobile phone or portable wireless device.
- 2.2.b Smoking (Jefferson County Administrative Order 93-3, 1993) or vaping with electronic cigarettes (Jefferson County Rolling Stock Operator's Conduct Manual, 2023).
- 2.2.c Reaching for a mobile phone or portable wireless device in such a manner that requires the driver to no longer be in a seated driving position properly restrained by a safety belt (Alabama Code Section 32-5A-350.1, 2023).
- 2.2.d Using more than one press of a button or swipe of a finger on a mobile phone or portable wireless device to initiate or terminate a voice communication.

2.3 Level 3

- 2.3.a Eating, reading maps or other literature by Commercial Driver's License (CDL) operators while operating CDL-required equipment (Alabama Commercial Driver's License Manual, 2017).

2.4 Violation of Rule. Violations exceeding two (2) **Level 1**, four (4) **Level 2**, or five (5) **Level 3** offenses within sixty (60) days constitute one (1) violation. All authorized employees involved in a distracted driving accident must also review a defensive driving video course. To accommodate corrective employee behavior, each distracted driving violation will reset within a six (6) month rolling period.

3.0 PROCEDURE

This Rule addresses distracted driving laws in accordance with Alabama Code Section 32-5A-350.1 – distracted driving generally.

The department has installed continuously recording video surveillance cameras inside the cabin of Jefferson County vehicles and distributed vehicle mobile phone mounts to facilitate compliance with this Rule and increase employee operational safety and efficiency.

Employees should pull over to a safe and legal place out of traffic lanes and put vehicle in "Park" to make or return a call or respond to a text. Avoid stopping on the shoulder or roadways. It is safer to find an appropriate parking spot off the travelled portion of roadway before making a call.

Supervisors are responsible for instructing employees on the details and expectations of this Rule. Supervisors will visually monitor their employees' operation of vehicles and equipment on a regular basis. All observations of distracted driving issues will be brought to the operator's attention as soon as safely possible and in accordance with the Progressive Discipline Process described in Section D below. The supervisor will notify their division manager or superintendent within 24 hours of the observation.

Managers will provide oversight for supervisors engaging in employee training and enforcement of this Rule. Managers have the discretion to evaluate extraordinary or exceptional circumstances such as emergency use of mobile devices, parked vehicle use of mobile devices, and work-related GPS or navigation use of mobile devices. If the supervisor's visual observation is confirmed, the manager will ensure compliance with the Progressive Discipline Process described in Section D below.

Department leadership will monitor video surveillance cameras for employee operational safety. Observations of distracted driving will be forwarded to managers to initiate progressive discipline.

3.1 Progressive Discipline Process for Distracted Driving

Supervisors are responsible for addressing distracted driving issues in a timely and consistent manner. Each violation of this Rule will constitute a separate violation. Employees failing to adhere to the Distracted Driving Rule will be subject to disciplinary action.

Progressive Violations of Rule	
1 st Violation	Step 1: Request for Contemplated Discipline (1-3 day suspension)
2 nd Violation	Step 1: Request for Contemplated Discipline (3-5 day suspension)
3 rd Violation	Step 3: Request for Contemplated Discipline (5-day suspension up to termination)