

Distracted Driving



PURPOSE/SCOPE

As of July 1, 2010, Michigan Law prohibits texting while driving. As of June 30, 2023, Michigan Distracted Driving laws have been revised to include civil fines for hand-held mobile telephone use. It is RW LaPine policy that we will follow all Michigan State Laws regarding Distracted Driving. This program will provide minimum guidelines to promote a safe awareness while operating a company vehicle, and to help avoid distractions while driving.

ENFORCEMENT POLICY

R.W. LaPine, Inc. employees shall follow all laws and safety guidelines as outlined in this program. Failure to follow these laws and guidelines shall result in disciplinary action taken as outlined in the R.W. LaPine, Inc.'s "Safety Program". R.W. LaPine Inc. employees who receive a civil infraction for failure to follow state laws will be responsible for all civil fines and penalties incurred during the operation of an R.W. LaPine Inc. company owned vehicle.

State Law

Sec. 257.602b (1) States: Except as otherwise provided in this section, a person shall not read, manually type, or send a text message on a wireless 2-way communication device that is located in the person's hand or in the person's lap, including a wireless telephone used in cellular telephone service or personal communication service, while operating a motor vehicle that is moving on a highway or street in this state. As used in this subsection, a wireless 2-way communication device does not include a global positioning or navigation system that is affixed to the motor vehicle. Beginning October 28, 2013, this subsection does not apply to a person operating a commercial vehicle.

Sec. 257.602b(2) States: Except as otherwise provided in this section, a person shall not read, manually type, or send a text message on a wireless 2-way communication device that is located in the person's hand or in the person's lap, including a wireless telephone used in cellular telephone service or personal communication service, while operating a commercial motor vehicle or school bus on a highway or street in this state. As used in this subsection, a wireless 2-way communication device does not include a global positioning or navigation system that is affixed to the commercial motor vehicle or school bus. This subsection applies beginning October 18, 2013.

Sec. 257.602b (3) States: Except as otherwise provided in this section, a person shall not use a hand-held mobile telephone to conduct a voice communication (a) using at least 1 hand to hold) while operating a commercial motor vehicle or a school bus on a highway, including while temporarily stationary due to traffic, a traffic control device, or other momentary delays. This subsection does not apply if the operator of the commercial vehicle or school bus has moved the vehicle to the side of, or off, a highway and has stopped in a location where the vehicle can

safely remain stationary. As used in this subsection “mobile telephone” does not include a 2-way radio service or citizens band radio service. As used in this subsection, “use a hand-held mobile telephone” means 1 or more of the following:

- (a) Using at least 1 hand to hold a mobile telephone to conduct voice communication.
- (b) Dialing or answering a mobile telephone by pressing more than a single button.
- (c) Reaching for a mobile telephone in a manner that requires a driver to maneuver so that he or she is no longer in a seated driving position, restrained by a seatbelt that is installed as required by 49 CFR 393.93 and adjusted in accordance with the vehicle manufacturer’s instructions.

(4) Subsections (1), (2), and (3) do not apply to an individual who is using a communication device to do any of the following:

- (a) Report a traffic accident, medical emergency, or serious road hazard.
- (b) Report a situation in which the person believes his or her personal safety is in jeopardy.
- (c) Report or avert the perpetration or potential perpetration of a criminal act against the individual or another person.
- (d) Carry out official duties as a police officer, law enforcement official, member of a paid or volunteer fire department, or operator of an emergency vehicle.
- (e) Operate or program the operation of an automated motor vehicle while testing or operating the automated motor vehicle without a human operator.

(5) Subsection (1) does not apply to a person using an on-demand automated motor vehicle network.

(6) An individual who violates this section is responsible for a civil infraction and shall be ordered to pay a civil fine as follows:

- (a) For a first violation, \$100.00
- (b) For a second or subsequent violation, \$200.00.

(7) This section supersedes all local ordinances regulating the use of a communications device while operating a motor vehicle in motion on a highway or street, except that unit of local government may adopt an ordinance or enforce an existing ordinance substantially corresponding to this section.

Guidelines

There are 3 main types of Distraction.

- Visual – taking your eyes off the road.
- Manual – taking your hands off the wheel.
- Cognitive – Taking your mind off what you are doing.

Distracting activities include:

- Using a cell phone and/or texting
- Eating and Drinking
- Grooming
- Reading, including maps.
- Using a PDA or navigation system
- Watching a video
- Changing the radio station, CD, or MP3 player

Guidelines for safer driving:

- Get familiar with vehicle features and equipment before pulling out into traffic.
- Preset radio stations, MP3 devices, and climate controls.
- Secure items that may move around when the vehicle is in motion. Do not reach down or behind the seat to pick up items, causing a distraction.
- Do not text, read, access the Internet, watch videos, play video games, search MP3 devices, or use any other distracting technology while driving.
- Pull safely off the road and out of traffic to deal with grooming or any physical issues.
- Review maps and driving directions before hitting the road.
- Monitor traffic conditions before engaging in activities or situations that could divert attention away from driving safely.
- If driving long distances, schedule regular stops to avoid fatigue (100 mi. or 2 hrs.).
- Avoid alcohol and medications that may make you drowsy.
- Never be a discourteous or disgruntled driver. Avoid road rage. Be polite and responsible.

Remember: We build a relationship with our community by the way our company vehicles are seen on the road. Please stay professional. Thank you.

I acknowledge that I have read / received a written copy of the revised Distracted Driving Policy, that I understand the Laws and Guidelines of this policy, and that I will abide by the Laws and Guidelines (terms) of this policy while operating any RW LaPine vehicle. I understand that a failure to follow this policy can result in disciplinary action, and a serious willful violation of these terms may result in immediate termination.

Employee Signature

Date

Employee Name (printed)

Distracted Driving Policy Revised: Date 06-15-2023.