

IPS NO 02-10 TEXT MESSAGING WHILE DRIVING

Effective Date: June 4, 2010
Responsible Office: M/AS
MS 522 Vehicle Operation and Use

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1.0 PURPOSE

This Interim Policy Statement (IPS) implements the requirements of Executive Order 13513 (October 1, 2009), “Federal Leadership on Reducing Text Messaging While Driving,” by establishing the policy of Peace Corps on text messaging by staff when driving government owned, leased, or rented vehicles (GOVs); when driving privately owned vehicles (POVs) on official government business; or when using electronic equipment supplied by the government while driving. This IPS also implements the requirements of the Executive Order that directs the Peace Corps to encourage federal contractors and subcontractors and recipients and sub-recipients of grants and cooperative agreements to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles; GOVs; when driving personally owned, leased, or rented vehicles while on official government business; or when performing any work for or on behalf of the government.

2.0 AUTHORITY

- (a) Executive Order 13513, October 1, 2009, “Federal Leadership on Reducing Text Messaging While Driving”
- (b) 5 U.S.C. 7902(d) “Safety Programs”
- (c) Peace Corps Manual Section 522 Vehicle Use

3.0 SCOPE

This IPS applies to all Peace Corps staff and Volunteers:

- (a) driving a government owned, leased, or rented vehicle (GOV);
- (b) driving a POV while on official government business; or
- (c) using any electronic equipment supplied by the government while operating any vehicle at any time.

Voluntary compliance with this IPS is encouraged even when a Peace Corps staff members or Volunteers is utilizing a personal electronic device and driving a POV while off-duty.

4.0 DEFINITIONS

For purpose of this IPS, the following definitions apply:

Motor Vehicle – means any vehicle, self-propelled or drawn by mechanical power, designed and operated principally for use on a local, state or federal roadway, but does not include any other vehicle excluded under Federal Motor Vehicle Regulation 102-33.20

Texting or Text Messaging – means reading from or entering data into any handheld or other electronic device (including, but not limited to, cell phones, navigational tools, laptop computers or other electronic devices), including for the purpose of Short Message Service (SMS) texting, e-mailing, instant messaging, obtaining navigational information or engaging in any other form of electronic data retrieval or electronic data communication. The term does not include the use of a cell phone or other electronic device for the limited purpose of entering a telephone number to make an outgoing call or answer an incoming call, unless this practice is prohibited by state or local law. The term also does not include glancing at or listening to a navigational device that is secured in a commercially designed holder affixed to the vehicle, provided that the destination and route are programmed into the device either before driving or while stopped in a location off the roadway where it is safe and legal to remain stationary.

Driving – means operating a motor vehicle on a roadway, including while temporarily stationary because of traffic congestion, a traffic signal, a stop sign, another traffic control device, or otherwise. It does not include being in your vehicle (with or without the motor running) in a location off the roadway where it is safe and legal to remain stationary.

Roadway – for the purpose of this manual section a roadway means any passageway cleared for vehicular travel. Roadways include, but are not limited to paved roads, dirt tracks, gravel roads, dirt and gravel paths, etc.

5.0 POLICY

It is Peace Corps policy to:

- (a) ban any and all text messaging by all Peace Corps staff, Volunteers, and contractors (i) when driving a GOV; (ii) when driving a POV while on official government business; or (iii) using electronic equipment supplied by the government when driving any vehicle (even during off-duty hours);
- (b) take appropriate disciplinary action for violation of this mandatory ban on texting, up to and including removal from federal service, as outlined in subsection 8 of this policy statement; and

- (c) encourage Peace Corps staff, Volunteers, and contractors and their families to refrain from texting or from engaging in any behavior that distracts attention from driving safely, at any time.

6.0 OBJECTIVES

The objectives of the mandatory ban on text messaging are to:

- (a) reduce injuries and fatalities resulting from traffic crashes involving employees;
- (b) encourage federal contractors and subcontractors and recipients and sub-recipients of grants and cooperative agreements to establish workplace safety policies to decrease crashes caused by distracted drivers; and
- (c) encourage agency staff and their families to voluntarily comply with the text messaging policy while off duty.

7.0 RESPONSIBILITIES

7.1 The Associate Director for Management

The Associate Director for Management will:

- (a) determine whether there is any reason to exempt from the requirements of this IPS, in whole or in part, certain staff, devices, or vehicles on the basis of emergency conditions;
- (b) notify the U.S. Department of Transportation of measures undertaken to implement this IPS within 30 days of its effective date; and
- (c) issue a broadcast announcement to all employees and contractors reminding them of the provisions of this IPS at least annually.

7.2 Chief Acquisition Officer

The Peace Corps Chief Acquisition Officer will within 60 days of the effective date of this IPS, establish and disseminate to all procurement officials contractual language to include in future contracts, grants, and cooperative agreements encouraging contractors and subcontractors to comply with the policies contained in this IPS.

7.3 Procurement Officials

Those individual who have been delegated procurement authority will:

- (a) comply with requirements developed by Peace Corps Chief Acquisition Officer to implement the IPS and encourage contractors, subcontractors, recipients and subrecipients of contracts, grants, and cooperative agreements to adopt and enforce on-the-job policies banning text messaging for their employees when driving GOVs or when driving POVs while on official government business; and
- (b) comply with applicable federal procurement or grant regulations that may be adopted to ban text messaging. Until such regulations banning text messaging are adopted, procurement officials shall encourage contractors and grantees to adopt text messaging bans substantively comparable to Executive Order 13513

7.4 Peace Corps Managers and Supervisors

Those individuals in positions as managers and/or supervisors will:

- (a) implement the requirements of this IPS;
- (b) take prompt disciplinary or other appropriate action in accordance with agency policy and in consultation with the human resources office or other appropriate office for violations of this IPS and report all violations to the Associate Director of Management;
- (c) ensure that newly assigned personnel are informed of the policies in this IPS; and
- (d) periodically remind staff and Volunteers of this IPS and the ramifications and consequences of text messaging when driving a GOV, when driving a POV while on official business, or when using electronic equipment supplied by the government while driving.

7.5 Obligation of Peace Corps Staff, Volunteers, and Contractors

Peace Corps staff, Volunteers, and contractors must be familiar with and comply with federal, state, local, and Peace Corps motor vehicle safety requirements and policies, including Peace Corps' mandatory ban on text messaging as outlined in this IPS.

8.0 DISCIPLINARY AND CORRECTIVE ACTION

Failure to comply with this IPS may result in disciplinary action. Applicable consequences may include official reprimand, suspension from pay and duty, removal from federal service, or other actions in accordance with law and agency policy.

9.0 EFFECTIVE DATE

The effective date is the date of issuance.