



Book	Policy Manual
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Title	Copy of Copy of ELECTRONIC DEVICES AND TRANSPORTING STUDENTS
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## 8606 - ELECTRONIC DEVICES AND TRANSPORTING STUDENTS

### Definitions:

"Electronic device" includes, but is not limited to, a cellular telephone; personal digital assistant; pager; computer; or any other device used to input, write, send, receive, or read text.

"Mobile telephone" means a mobile communication device that falls under or uses any commercial mobile radio service, as defined in regulations of the Federal Communications Commission, 47 CFR 20.3. It does not include two-way or Citizens Band Radio services.

"Telecommunications device" means an electronic or digital telecommunications device. The term includes a:

- A. wireless telephone;
- B. personal digital assistant;
- C. pager; or
- D. text messaging device.

The term does not include:

- A. amateur radio equipment that is being operated by a person licensed as an amateur radio operator by the Federal Communications Commission under 47 CFR Part 97; or
- B. a communications system installed in a commercial motor vehicle weighing more than 10,000 pounds.

"Text message" means a communication in the form of electronic text sent from a telecommunications device.

### Prohibitions:

All Corporation employees and any independent contractors or employees of independent contractors who drive school buses ~~to transport Corporation students or other motor vehicles to transport Corporation students~~ are prohibited from holding or using a telecommunication device while operating a moving motor vehicle.

- A. ~~using a cellular telephone, electronic device, mobile telephone or telecommunications device to communicate while driving a school bus to transport students; and~~
- B. ~~using a cellular telephone, electronic device, mobile telephone or telecommunications device to type, transmit or read a text message or an electronic mail message while driving a school bus to transport students;~~

~~except in the case of~~ As referenced above, an exception to this prohibition is to call 911 to report a bona fide emergency. In cases of a bona fide emergency, if possible, the driver should move to the side of the road and stop the vehicle before using the

cellular telephone, electronic device, mobile telephone or telecommunications device. **A telecommunication device may be used in conjunction with hands-free or voice-operated technology.**

~~Furthermore, all Corporation employees are prohibited from using a cellular telephone, electronic device, mobile telephone or telecommunications device to type, transmit or read a text message or an electronic mail message while operating a motor vehicle other than a school bus to transport Corporation students, except in the case of a bona fide emergency. In cases of a bona fide emergency, if possible, the driver should move to the side of the road and stop the vehicle before using the cellular telephone, electronic device, mobile telephone or telecommunications device.~~

~~[ ] OPTION (recommended)~~

~~A Corporation employee who operates a motor vehicle other than a school bus to transport Corporation students is prohibited from using a cellular telephone, electronic device, mobile telephone or telecommunications device to communicate while operating a motor vehicle to transport students, except in the case of a bona fide emergency. In cases of a bona fide emergency, if possible, the driver should move to the side of the road and stop the vehicle before using the cellular telephone, electronic device, mobile telephone or telecommunications device.~~

A Corporation employee who violates this policy shall be subject to disciplinary action, up to and including termination. The Board directs that any contracts entered into with an independent contractor for bus transportation shall provide that: (1) the Corporation requires compliance by the independent contractor and its employees or subcontractors with this policy as a condition of the contract; and (2) the violation of this policy by an independent contractor or its employees or subcontractors may result in the termination of the contract.

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I.C. 9-13-2-31 ("commercial motor vehicle" defined)

I.C. 9-13-2-161 ("school bus" defined)

I.C. 9-13-2-177.3 ("telecommunications device" defined)

I.C. 9-13-2-177.4 and I.C. 9-21-8-0.5 ("text message" defined)

I.C. 9-21-8-59 (prohibition against use of telecommunications device while operating a moving motor vehicle)

I.C. 9-24-6-6(a)(12) (driving a commercial motor vehicle while using a hand-held mobile device)

49 C.F.R. 383.5 (definition of "commercial motor vehicle," "electronic device" and "mobile telephone")

49 C.F.R. 383.51 (disqualification of drivers)

49 C.F.R. 391.15 (disqualification of drivers)

49 C.F.R. 392.80 (prohibition against texting while driving)

49 C.F.R. 392.82 (prohibition against using a hand-held mobile telephone while driving)