Campus-wide email: please do not reply;
Bulletin contains information gleaned from the State of California DMV and CSULA proposed guidelines

RISK MANAGEMENT

BULLETIN

June 2008

STATE VEHICLE DRIVER PROGRAM

2008 California Vehicle Code changes

The California State University, Los Angeles State Vehicle Driver Program policy (section 6.3.6.7.) requires that we ensure that state employees driving for state business are familiar with applicable changes to the California Vehicle Code; the following laws are effective July 1, 2008.

* Drivers 18 years of age and older are required to use a hands-free device while driving.
* Teens (under age 18) are not permitted to use mobile phones or other wireless devices while driving.

See, the DMV's list of Frequently Asked Questions clarifying the new laws.

Q: What is the difference between the two laws?
A: The first prohibits all drivers from using handheld wireless telephones while operating motor vehicles, (Vehicle Code (VC) §23123). Motorists 18 and over may use "hands-free devices." Drivers under the age of 18 may NOT use wireless telephones or hands-free devices while operating motor vehicles (VC §23124).

Q: What if I need to use my telephone during an emergency, and I do not have a "hands-free" device?
A: The law allows you to use a wireless telephone to make emergency calls to a law enforcement agency, a medical provider, the fire department, or other emergency services agency.

Q: What are the fines(s) if I'm convicted?
A: The base fine for the FIRST offense is $20 and $50 for subsequent convictions. With additional penalty assessments, the fines can be more than triple the base fine amount.

Q: Will I receive a point on my driver license if I'm convicted for a violation of the wireless telephone law?

A: No. The violation is a reportable offense, however, the DMV will not assign a violation point.

Q: Will the conviction appear on my driving record?
A: Yes, but the violation point will not be added.

Q: Will there be a grace period when motorists receive only warnings?
A: No. The law becomes effective July 1, 2008. Whether a citation is issued is always at the discretion of the officer, based upon the most appropriate remedy for the situation.

Q: Are passengers affected by this law?
A: No. This law applies only to vehicles' drivers.

Q: Do these laws apply to out-of-state drivers whose home states do not have such laws?
A: Yes.

Q: Can I be pulled over by a law enforcement officer for using my handheld wireless telephone?
A: Yes. A law enforcement officer can pull you over just for this infraction.

Q: What if my phone has a push-to-talk feature, can I use that?
A: No. However, the law does provide an exception for those operating a commercial motor truck or truck tractor (excluding pickups), implements of husbandry, farm vehicle or tow truck, to use a two-way radio operated by a "push-to-talk" feature.

Q: Are there exceptions?
A: Operators of an authorized emergency vehicle used during the course of employment are exempt, as are motorists operating a vehicle on private property.

Additional information can be obtained by contacting Dan Thomas, Risk Management Analyst at extension 3-3534, or by accessing the Department of Motor Vehicles web pages at http://www.dmv.ca.gov/cellularphonelaws/index.htm

Risk Management – State Vehicle Driver Program
http://www.calstatela.edu/univ/ehs/rm_veh_prog.htm

Department of General Services, Driver Training Course Schedules:
https://www.training.dgs.ca.gov/classes/classlist.asp?courseid=14

Use of University and Private Vehicles Policy Guidelines:
http://www.calstate.edu/HRAdm/Policies/csumv__policy_guideline.pdf

PLEASE NOTE: Employees whose job responsibilities include regular or occasional driving and who use a cellular telephone in their work are expected to put safety first. It is recommended that employees who drive in the course of their work refrain from using their cellular telephones, for any purpose, while driving. If employees must use cellular telephones to conduct business while driving, **employees are required to use "hands-free" devices**. Employees who are charged with traffic violations resulting from their use of personal or company-issued cellular telephones while driving will be solely responsible for all liabilities, fines, etc., that result.