Definitions

Portable wireless communication device:

A. **means** a cellular telephone, a portable telephone, a text-messaging device, a personal digital assistant, a stand-alone computer, a global positioning system receiver or a substantially similar portable wireless device that is used to initiate or receive communication, information or data.

B. **does not include** a radio, citizens band radio, citizens band radio hybrid, commercial two-way radio communication device or its functional equivalent, subscription-based emergency communication device, prescribed medical device, amateur or ham radio device or in-vehicle security, navigation or remote diagnostics system.

Stand-alone electronic device means a portable device other than a portable wireless communication device that stores audio or video data files to be retrieved on demand by a user.

State Law Prohibits

Arizona law (A.R.S. **28-914**, effective January 1, 2021), states that a person may not operate a motor vehicle on a street or highway if the person does either of the following:

A. physically holds or supports with any part of the person's body either of the following:

   a. portable wireless communication device, except that a person may use a portable wireless communication device with an earpiece, headphone device or device worn on a wrist to conduct a voice-based communication.

   b. a stand-alone electronic device.
B. writes, sends or reads any text-based communication, including a text message, instant message, e-mail or Internet data, on a portable wireless communication device or stand-alone electronic device.

**Exceptions**

An operator may use a portable wireless communication device:

A. to report illegal activity or summon emergency help.

B. that was permanently or temporarily affixed to the motor vehicle to relay information in the course of the operator's occupational duties between the operator and either: i) a dispatcher, ii) a digital network or software application service.

**Law Does not Apply**

This does not apply to either of the following:

A. the use of voice-based communications, including through the use of a portable wireless communication device or stand-alone electronic device, to direct the writing, sending, reading or other communicating of any text-based communication.

B. the use of a portable wireless communication device or stand-alone device when used in a hands-free manner for:

   a. navigation of the motor vehicle.

   b. use of a global positioning system.

   c. obtaining motor vehicle information or information related to driving a motor vehicle.

This also does not prohibit the operation of a motor vehicle while using a device, including a device that is accessible through an interface that is embedded in a motor vehicle, that allows communication without the use of either of the driver's hands, except to activate or deactivate a function of the device.

**Training**

The Superintendent will develop training to implement this policy prior to the effective date.
Adopted: March 27, 2020

LEGAL REF.:
A.R.S.
15-341 General Powers and Duties
15-514 Reports of Immoral or Unprofessional Conduct
28-914 Use of portable wireless communication device while driving
28-963 Image display device; prohibition; exceptions; definition
28-3164 Original applicants; examination

CROSS REF.:
EEAE - Bus Safety Program
EEB - Business and Personnel Transportation Services
GBEA - Staff Ethics
GBEB - Staff Conduct
GBEBB - Staff Conduct With Students