

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Staff Use of Digital Wireless Communications or Electronic Devices While Operating a Motor Vehicle</p>
	<p>POLICY CODE: GBEFA</p>

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: _____

LEGAL REF.:

A.R.S.

[15-341](#)

[15-514](#)

[28-914](#)

[28-963](#)

[28-3164](#)

CROSS REF.:

[EEAE](#) - Bus Safety Program

[EEAEA](#) – Bus Driver Requirements, Training, and Responsibilities

[EEAG](#) - Student Transportation in Private Vehicles

[EEB](#) - Business and Personnel Transportation Services

[GBEA](#) - Staff Ethics

[GBEB](#) - Staff Conduct

[GBEBB](#) - Staff Conduct With Students

[GCQF](#) - Discipline, Suspension, and Dismissal of Professional Staff Members

[GDQD](#) - Discipline, Suspension, and Dismissal of Support Staff Members

[JNDB](#) - Use of Technology Resources in Instruction

[JIC](#) - Student Conduct

GBEFA - Staff Use of Digital Wireless Communications or Electronic Devices While Operating a Motor Vehicle - _____