

<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: 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](#)