

611.12 - Distracted Driving

Purpose:

The purpose of this operational procedure is to reduce the risk of work-related injury or death by establishing proper safety procedures for BSC students, employees, and faculty regarding operating state fleet vehicles.

Procedure:

General Information:

Distracted driving should be avoided at all times, and is defined as any activity that could divert your attention away from the primary task of driving, including:

1. Avoid at all times when driving:
 - a. Text messaging
 - b. Dialing a phone
 - c. Talking on the phone
 - i. Exception for Law Enforcement in the line of duty.
 - d. Reading a map/directions, newspaper
 - e. Looking for an address
 - f. Watching a video
 - g. Retrieving an object from the floor/other location
 - h. Eating
 - i. Grooming i.e. combing hair, makeup, etc.
 - j. Driving while fatigued – if you are tired, don't drive. Pull over and rest.
 - k. Activities related to smoking
2. Refrain from whenever possible
 - a. Looking at other occupants in the vehicle
 - b. Adjusting the music selection
 - c. Adjusting other vehicle controls
 - d. Drinking beverages
3. Please be aware of these things that can affect your driving.
 - a. Physical or mental difficulties
 - b. Future event
 - c. Inattentiveness

Text Messaging:

BSC employees are responsible for obeying the law, including any law that pertains to the safe operation of a vehicle. ND law bans texting while driving.

Below is the ND Law:

ND Century Code 39-08-23 Motor Vehicles – Regulations Governing Operators – Use of a wireless communications device prohibited:

1. The operator of a motor vehicle that is part of traffic may not use a wireless communications device to compose, read, or send an electronic message.
2. Under this section:
 - a. "Electronic message" means a self-contained piece of digital communication that is designed or intended to be transmitted between physical devices. The term includes e-mail, a text message, an instant message, a command, or request to access a worldwide web page, or other data that uses a commonly recognized electronic communications protocol. The term does not include:
 - (1) Reading, selecting, or entering a telephone number, an extension number, or voice mail retrieval codes and commands into an electronic device for the purpose of initiating or receiving a telephone or cellular phone call or using voice commands to initiate or receive a telephone or cellular phone call;
 - (2) Inputting, selecting, or reading information on a global positioning system device or other navigation system device;
 - (3) Using a device capable of performing multiple functions, such as fleet management systems, dispatching devices, smartphones, citizen band radios, music players, or similar devices, for a purpose that is not otherwise prohibited;
 - (4) Voice or other data transmitted as a result of making a telephone or cellular phone call; or
 - (5) Data transmitted automatically by a wireless communication device without direct initiation by an individual.
 - b. "Traffic" means operation of a motor vehicle while in motion or for the purposes of travel on any street or highway and includes a temporary stop or halt of motion, such as at an official traffic-control signal or sign. The term does not include a motor vehicle that is lawfully parked.
3. This section does not apply if a wireless communications device is used for obtaining emergency assistance to report a traffic accident, medical emergency, or serious traffic hazard or to prevent a crime about to be committed, in the reasonable belief that an individual's life or safety is in immediate danger, or in an authorized emergency vehicle while in the performance of official duties.

Cell Phone Usage:

While it is not prohibited by law, it is a requirement of the North Dakota Risk Management Workers Compensation Discount Program and BSC safe operating procedures that employees refrain from using hand-held cell phones while operating a state fleet vehicle or their personal vehicle while engaged in job related activities, whether the vehicle is in motion or stopped at a traffic light. This includes, but is not limited to, answering, or making phone calls, engaging in phone conversations, reading or responding to emails, text messages, and instant messaging. Some suggestions for using cell phones in vehicles include:

- a. Whenever possible, stay off the phone when driving. If possible, pull off the road to a safe area to use the phone.
- b. Use a hands-free device on the phone.
- c. Be familiar with your phone and its features. Position it within easy reach for an emergency.
- d. Let calls go to voicemail, listen to messages later.
- e. Place calls when not moving or before pulling into traffic.
- f. Do not take notes or look up information/phone numbers while driving.
- g. Do not engage in stressful or emotional conversations while driving.
- h. Know your route, use your GPS, and read maps beforehand.
- i. Be aware of vehicles around you.

References:

[NDDOT State Fleet Services Policy Manual](#)

[SBHE Policy: 611.12 Use of State Vehicles](#)

[North Dakota University System | NDUS Guide to Authorized Use of State Fleet Vehicles](#)

History of This Procedure:

First procedure: First draft reviewed by the Loss Control Committee on April 23, 2014, reviewed by the Operations Council on May 14, 2014, and revised/approved by the Executive Council on May 30, 2014. Approved by the President on August 16th, 2023.

Approved by the Executive Vice President on June 13th, 2025.