

A solid yellow right-angled triangle pointing towards the top-left corner.

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Commercial Drivers and Cell Phones Watch Out for the New Regulations

If the large numbers of crashes by distracted drivers is not enough, companies that employ drivers of commercial motor vehicles (CMVs) have one more reason to prohibit the use of cellular telephones by drivers while driving: The United States Department of Transportation recently announced the issuance of the final rule that prohibits commercial drivers from using hand-held mobile telephones while operating their vehicles.

The final rule, issued jointly by the Federal Motor Carrier Safety Administration (FMCSA) and the Pipeline and Hazardous Materials Safety Administration (PHMSA), took effect January 3, 2012. The rule restricts CMV drivers from holding mobile telephones to conduct voice communication, dialing a mobile telephone by pressing more than a single button, or reaching for a mobile phone in an unacceptable and unsafe manner. As a result, a driver of a CMV who desires to use a mobile phone while driving will need to use a compliant mobile telephone (such as a hands-free device) located in close proximity to the driver.

Of importance to employers is the fact that the rule provides stiff penalties for both drivers and companies that allow their drivers to use hand-held mobile telephones while driving. A violation of the rule will be added to the list of violations that can result in a driver being disqualified from holding a commercial drivers license. A driver who has a number of serious violations in a three year period can be disqualified from holding a license for 6 months, 12 months, or even lifetime. In addition, companies that allow their drivers to use mobile telephones in violation of the rule will face up to a maximum penalty of \$11,000.