

California's Wireless Telephone Laws

On July 1, 2008, California's new Wireless Telephone Laws will go into effect. The first law prohibits drivers from using a handheld wireless telephone while operating a motor vehicle. All drivers of a motor vehicle are subject to the law except certain emergency workers and drivers who make an emergency call to a law enforcement agency, a medical provider, the fire department, or other emergency services agency. The second law prohibits drivers under the age of 18 from using a wireless telephone *or* a hands-free device while operating a motor vehicle.

The new laws will not affect the University's cell phone policy, which is published in *Business and Finance Bulletin G-46, Purchase and Use of Cellular Phones and Other Portable Electronic Resources*. Under the policy, employees are required to avoid using a University-provided cell phone while operating a motor vehicle. All employees are subject to this requirement except emergency response personnel, e.g., police, fire, traffic enforcement, environmental health and safety, health care, and disaster response personnel, including facilities management personnel who may use a cellular telephone for emergency purposes. G-46 also makes an accommodation for other employees who use a cell phone for an emergency purpose.

Campus departments, however, should not purchase hands-free devices for use by non-emergency response employees while driving. These devices may be purchased if required for a business reason but the employee must sign the agreement contained in G-46 stating that he or she will use the equipment in accordance with the policy.

Recent studies have shown that the use of a cell phone, whether hands-free or not, while driving is a leading cause of accidents among distracted drivers. For this reason, the University's cell phone policy will remain more restrictive than State law.

Business and Finance Bulletin G-46 is available at the following address:
<http://www.ucop.edu/ucophome/policies/bfb/g46.pdf>