

# Landmark Coaches

## DRIVER POLICY FOR THE USE OF MOBILE PHONES



### Introduction

This policy is applicable to all driving staff employed or contracted by Landmark Coaches Limited and/or Landmark Vehicle Hire Limited whether on a paid, self employed or agency basis.

Most drivers are aware that it is against the law to use a hand-held mobile phone whilst driving a vehicle.

Coach drivers not only face prosecution by the police if seen using a hand-held mobile phone, but they also face being called in front of their Local Traffic Commissioner.

It is important that all of our drivers comply with the law and the requirements of this Mobile Phone Policy at all times.

**All driving staff are issued with a copy of this Policy**

### The Law

Since the 1<sup>st</sup> of December 2003, under an amendment to The Road Traffic Act 1998, it has been illegal to drive in the UK whilst using a hand-held mobile phone or Sat-Nav.

You must have hands-free access, such as:

- \* A blue tooth headset
- \* Voice command

- \* A dashboard holder or mat
- \* A windscreen mount
- \* A built-in Sat-Nav.

The device must not block your view of the road and traffic ahead.

## **Hands-Free devices**

While mobile phones may be used with hands-free devices, they are ultimately a distraction and a driver using a hands-free mobile phone is still open to a charge of careless driving should a police officer think they are driving poorly.

## **When the law applies**

The law applies when you are driving, including when you are stopped at traffic lights or when you are queueing in traffic.

Drivers are therefore advised that they should only use a mobile phone when the vehicle is stationary **and** parked.

**The ONLY exception to this rule is that you may use your mobile phone to call 999 in the event of an emergency.**

## **Penalties for using a phone when driving**

A driver can be issued with an automatic fixed penalty notice if seen using a hand-held device whilst driving. The fixed penalty sees the driver's driving licence endorsed with six penalty points and a fine of £200.

If the case goes to court, a PCV or HGV driver can be disqualified from driving and could also receive a maximum fine of up to £2,500.

See – Disciplinary Procedures

## **Hand-held device**

It is not only a mobile phone that can see the prosecution of a driver, it goes wider than that.

The term "Hand-held device" covers anything that can be used for making or receiving voice calls or communicating. This can therefore include iPods and tablets.

Drivers must be aware that communicating back to the office, messaging or texting or emailing about an on-board problem, for example – Would still see them liable for the same prosecution as if they were speaking on a mobile phone.

## Driving

Drivers sometimes believe that being stationary, for example at traffic lights or stuck in a long stationary queue of traffic, offers them the opportunity to make or receive a quick call or to read or send a text message.

All drivers must be aware that from a legal perspective, they are still deemed to be driving in this scenario, even though their vehicle is not in motion.

Prosecution is therefore still an option for a police officer that witnesses such behaviour.

## Safety

It is proven that using a hand-held device while driving is a safety risk to yourself and other road users.

This risk is clearly magnified when driving a larger vehicle such as a coach or bus.

Even the most careful drivers can be distracted by a call or text – and a split-second lapse in concentration could result in a crash.

Landmark Coaches Limited and/or Landmark Vehicle Hire Limited take road safety very seriously and will continue to reinforce the message to all of our driving staff that using a hand-held device while driving is unacceptable. This message is reinforced through our Mobile Phone Policy, Staff Newsletters and ongoing Driver Training.

## Disciplinary Procedures

In the event that one of our drivers is reported by the police for breaching the Road Traffic Act 1998, in addition to any action taken by the courts and/or the traffic commissioner, we will also instigate internal disciplinary procedures which may lead to a formal warning or in more serious cases, may be considered to constitute Gross Misconduct which could lead to dismissal.

In the event that we receive information from a customer or member of the public that one of our drivers may have breached this policy, we will carry out an internal investigation which may lead to disciplinary action being taken.

