

BULLETIN

Risk Control

ACWA/Joint Powers Insurance Authority, 5620 Birdcage Street, Suite 200, Citrus Heights, CA 95610-7632, (800) 231-5742

by Lee Patton

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The New Cellular Phone “Hands Free” Law

As of July 1, 2008, a couple of new laws take effect. The first prohibits all drivers from using a handheld wireless telephone while operating a motor vehicle. The second prohibits drivers under 18 from using a wireless telephone, pager, laptop, or any other electronic communication or mobile service device, to speak or text while driving in any manner, even “hands-free”. The exception is that they may be permitted in emergency situations to call the police, fire, or medical authorities.



Push to talk features when using a two way radio is not covered by this law. The new law will allow drivers 18 and over, to use the speaker phone function of their wireless telephone while driving. **The new law does not prohibit dialing, but drivers are strongly urged not to dial while driving.**

Bluetooth devices or other earpiece can be used, but only one ear can be covered.

Text messaging is not specifically prohibited, but just like dialing, if the officer feels that you are distracted and not operating the vehicle safely, you can be pulled over and cited. **Remember, sending text messages at any speed while driving is unsafe and is strongly discouraged.**

Rowland Water District has already taken steps to assure they are in compliance with the new law. They have installed “hands-free” devices in vehicles that are used by any employee who is issued a company cell phone. Dave Warren, Water Systems Superintendent, advised that they currently have these units installed in eight District vehicles, and they have proven to be very useful. Using these built-in units compared to using Bluetooth headsets, has guaranteed the employee will have a “hands free” device when driving, instead of putting the burden on

the employee to remember to charge their Bluetooth device, and to put it on while in the vehicle.

The District has heard of no major performance issues with the units installed, either from the employees or from anyone they have talked to while using these units. The particular units they chose can be paired with up to five phones, so if a vehicle is shared by several employees, each one can have the unit connected to their cell phone. I saw and heard one of these units on my last risk assessment. It was easy to use and the transmission was very clear.

Rowland Water District chose two models, the Parrot 3100 and the Parrot 3200. The 3100 cost the District \$250 installed, and the 3200 cost the District \$280 installed. The entire installation process took the shop a couple hours for each truck, and pairing the cell phones only took minutes.

The Parrot has a controller that goes under the dash, a display unit that is installed on the dash, and a microphone that is installed up by the driver side visor. All are connected through the vehicle radio. The radio mutes during a telephone call and the radio speakers are used to hear the incoming caller.

With the Parrot, your cell phone address book becomes available, and voice activated dialing can be utilized after being setup.

The base fine for a first offense will be \$20 and \$50 for subsequent convictions. With the addition of penalty assessments, the fines can be more than triple the base fine amount. Violations are not reportable to DMV, so no violation point will be assigned.

Remember, the new law becomes effective July 1, 2008. Whether a citation is issued is always at the discretion of the officer, based upon his or her determination of the most appropriate remedy for the situation.

Harve LaBounty Workers' Compensation Safety Awards



The JPIA would like to acknowledge the following employees for their contribution to their respective district's safety programs. Awards are presented twice a year at the spring and fall ACWA/JPIA conference.

The JPIA encourages members of its Workers' Compensation Program to support their employees through promotion of the JPIA's Safety Awards Program. This Program is designed to promote safe workplace behavior and reward those employees who demonstrate safe behavior. Nomination Forms may be obtained from the JPIA's website at www.acwajpia.com.

Member	Award
<u>Crescenta Valley Water District</u>	
Alejandro Sandoval	\$200
David Spain	100
Cory Whitman	150
<u>Fair Oaks Water District</u>	
Shawn Huckaby	150
<u>Helix Water District</u>	
Terry Hartnett	350
Scott Cameron	275
<u>Mission Springs Water District</u>	
Mark Correa	200
Albert Tamez	75
<u>Orange County Water District</u>	
Scott Brandon	100
Boyd Lypka	100
<u>Rancho California Water District</u>	
Hilda Bojorquez	75
Mike Dye	200
Ethan Lawrence	150
Ezra Ruelas	150
<u>Rincon Del Diablo MWD</u>	
Rich Lora	200
<u>Walnut Valley Water District</u>	
Chris Ford	200
<u>Yuima Municipal Water District</u>	
Mark Quinn	200

Upcoming 2008 S.A.F.E. Seminar Event Calendar / USA North Excavation training opportunities in Northern California

Below is a list of proposed SAFE events for 2008. Please go to www.usanorth.org/safeform.htm to submit the online form if you are interested in attending. If you have any questions or need additional information, please [e-mail](mailto:plynn@usan.org) Patrice with USA North at plynn@usan.org

Redding, CA - 06/19/08
 Salinas, CA - 06/26/08
 Susanville, CA - 07/17/08
 San Luis Obispo, CA - 08/13/08
 Bakersfield, CA - 08/14/08
 Crescent City, CA - 08/19/08
 Eureka, CA - 08/20/08
 Ukiah, CA - TBD
 Antioch, CA - 08/28/08
 Santa Clara, CA - 09/18/08
 San Leandro, CA - 10/02/08
 Chico, CA - 10/16/08
 Turlock, CA - 10/23/08
 Vacaville, CA - 11/06/08

Please note: These dates are subject to change. Those locations without a date listed are in areas in which we are trying to schedule a SAFE event.



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