



## Mobile Phones & Earpieces

**The penalties issued for using mobile phones whilst driving have recently changed and on conviction the automatic fixed number of penalty points has increased to 6 points (car and buses) and the level of fine has increased to £2500 if caught whilst driving a bus.**

The Company's position is that the use or wearing of earpieces, mobile phones, radios and other portable electrical equipment whilst driving is strictly forbidden. Any driver found to be wearing such a device whilst driving will be subject to severe disciplinary action which could result in dismissal.

North West England Traffic Commissioner dealt with a case of a driver reading a text message whilst stationary at traffic lights, listening to a radio through an earpiece and then making a mobile phone call whilst driving. In the driver's defence the Commissioner heard that the text message related to a child going to hospital. The Traffic Commissioner in this case revoked the driver's PCV licence and disqualified the driver from holding a new PCV licence for nine months. Below are some of the Commissioner's comments:

The Commissioner said that whilst she understood the text message would be of concern to the driver, it did not in any way excuse the use of a mobile phone to send a text whilst driving a bus.

"The use of an earpiece to listen to a radio distracted the driver from this main duty and compromised road safety, as did the mobile phone use." "Passengers are entitled to expect the highest standards of conduct from drivers."

The Commissioner's role required her to promote the highest standards of conduct from both operators and drivers. In this case the operator had shown the highest standard of conduct by immediately dismissing the driver and notifying her.

"A driver whose mind is on their telephone call or who was listening to the radio through an earpiece would not be able to give their work the required attention." "I would be failing in my duty if I did not make the revocation and disqualification orders whilst taking account of the particular circumstances of the case and the serious risk to road safety as a result of the driver's conduct."