



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

FILED

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Order Instituting Rulemaking to determine whether the temporary measures adopted in Resolution SX-88 or other measures banning personal use of electronic devices by rail transit personnel should be adopted on a permanent basis.

Rulemaking 08-10-007
(Filed October 16, 2008)

COMPLIANCE FILING

ZERO-TOLERANCE POLICY AND PROGRAM OF LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR ACTION TO BE TAKEN REGARDING PROHIBITED PERSONAL ELECTRONIC DEVICE USE, IN COMPLIANCE WITH SECTIONS 5.1 AND 5.2 OF GENERAL ORDER 172, ADOPTED OCTOBER 6, 2011

January 3, 2012

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to determine whether the temporary measures adopted in Resolution SX-88 or other measures banning personal use of electronic devices by rail transit personnel should be adopted on a permanent basis.

Rulemaking 08-10-007
(Filed October 16, 2008)

COMPLIANCE FILING

In compliance with General Order 172, adopted on October 6, 2011, Los Angeles County Metropolitan Transportation Authority files its Zero Tolerance Policy for the Use of Personal Electronic Devices.

Respectfully Submitted,

_____/s/
Vijay Khawani, Executive Officer,
Corporate Safety
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza, 18th Floor
Los Angeles, CA 90012
khawaniv@metro.net
213.922.4035

January 3, 2012



Metro

OPERATIONS
Policy On Use Of Electronic Devices

(OPS 1)

POLICY STATEMENT

The Los Angeles County Metropolitan Transportation Authority (LACMTA) is firmly committed to the principle that safety comes first for our customers, employees and business partners as we plan, construct, operate and maintain the region's transportation system.

LACMTA creates a safety-conscious culture for its customers, employees and business partners by identifying safe practices associated with the use of electronic devices and prohibiting the illegal or unsafe use of such devices.

Violation of this policy is a major infraction, which may be considered gross misconduct, and will result in disciplinary action described below. This policy update supersedes all previous electronic device policies and bulletins regarding the use of electronic devices.

PURPOSE

The purpose of this policy is to establish safety standards for using any electronic devices, and for assigning responsibilities for its implementation and enforcement.

APPLICATION

This policy applies to all employees in LACMTA's Operations Department and to all contractors working at LACMTA's Operations facilities.



Chief of Operations Department/
Chief Operations Officer



APPROVED: County Counsel

Effective Date: 11/2/2011

1.0 GENERAL

Managing all aspects of safe vehicle and equipment operation is an important component of this policy and part of every employee's safety responsibilities. All Operations department heads are responsible for informing their subordinates about this policy, and for taking the necessary actions when they become aware of situations that are not in compliance with this policy.

2.0 POLICY

2.1 BUS AND TRAIN OPERATION AND OTHER TASKS

2.1.1 UNAUTHORIZED ELECTRONIC DEVICE USAGE

- Use of any electronic device while operating a bus or train (including a hi-rail vehicle) is prohibited. All electronic devices must be turned off, not be worn or carried on the employee's body, and must be stowed out of sight.
- Use of any electronic device by any employee/contractor in the bus compartment area or a train cab is prohibited.
- Use of any electronic device while dispatching, flagging, or otherwise controlling the movement of buses or on-track vehicles is prohibited.
- Use of any electronic device while fouling any rail tracks, bus lanes in yards/terminals/layover zones or yard areas where buses operate is prohibited.
- Use of any electronic device while in safety-sensitive areas is prohibited.

2.1.2 AUTHORIZED ELECTRONIC DEVICE/EQUIPMENT USAGE

- An employee may use an electronic device to report a fire or other life-threatening emergency or when the Metro two-way radio is unavailable if:
 - the bus is stopped in a safe location with the engine off and the employee is out of the bus compartment area;
 - the train is stopped in a safe location and keyed down (local) and the employee is out of the cab; or
 - the hi-rail vehicle is stopped in a safe location and the engine is turned off.

- An employee may use an electronic device for personal reasons only when the bus or train is at a terminal or layover zone and only if:
 - the employee is outside the bus compartment area and the engine is off; or
 - the employee is outside the cab with the train keyed down and in a safe condition.

- LACMTA operations equipment/systems including, but not limited to, LACMTA's licensed two-way handset and portable radios with channels dedicated solely for LACMTA operations, destination sign controls, Transit Access Pass (TAP), Advanced Transportation Management System (ATMS), Train Identification Control Unit (TICU), Aspect Display Unit (ADU), Public Address system(PA), SmartDrive, laptops (used to perform maintenance functions such as troubleshooting), roadway worker protection devices, and medical electronic devices must be used in accordance with Operations Department rules, Standard Operating Procedures, and training, or as required by a licensed medical practitioner.

2.2 NON-REVENUE VEHICLES AND PERSONAL VEHICLE OPERATION WHILE ON COMPANY BUSINESS

Use of any electronic device is prohibited while operating any non-revenue vehicle or personal vehicle while on company business unless the device is configured for hands-free listening and talking, and is used in that manner. See Section 2.1.1 for restrictions applicable to on-track vehicles.

3.0 EMPLOYEE RESPONSIBILITY

LACMTA employees are financially responsible for all traffic violations resulting from the violation of this policy, and will be subject to disciplinary action.

4.0 EMERGENCY CONTACT PROCEDURES

In the event of a personal or family emergency, on-duty employees will be contacted (typically through a supervisor or operations control) and provided with urgent information in accordance with the communications procedures established at their respective Division or location.

5.0 ACCESS TO RECORDS

As part of any investigation of an accident/incident, LACMTA employees must:

- cooperate in the investigation, identify all electronic devices in their possession at the time of the accident/incident, and provide cellular phone number information;
- allow investigators to examine all electronic devices in the employee's possession at the time of the accident/incident;
- allow LACMTA access to relevant personal cell phone records from employee's service provider; and
- provide all relevant personal cell phone records and related information.

Information provided will be used solely as part of the investigation and will be released only to authorized persons. Information may be shared with regulatory and law enforcement agencies when required.

6.0 VIOLATIONS AND DISCIPLINARY ACTIONS

Employees will be given a formal hearing and will be subject to discipline, up to and including discharge, for the following policy violations:

- using electronic devices while operating a revenue vehicle;
- leaving electronic devices on, wearing or carrying electronic devices, or not stowing them out of sight while operating a revenue vehicle;
- failing to provide cell phone records relevant to an accident/incident;
- using a non-hands-free electronic device while operating a non-revenue vehicle off-track or using an electronic device in a safety-sensitive area.
- any violation of this policy.

7.0 DEFINITION OF TERMS

Contractor: a party that has contracted to perform work for LACMTA.

Electronic Device – a wireless or portable electronic handheld equipment including but not limited to, pagers, cell phones, smart phones, Blackberries, portable internet devices, MP3

players, iPods, i-phones, i-Pads, Bluetooth devices, Personal Digital Assistants (PDAs), headphones or earbuds of any type, video game players, laptop computers, DVD players, audio players, and stereo devices.

Fouling a track or bus area/lane – placing oneself, or any equipment or appurtenance in an area where it could be struck by a bus or track equipment.

Non-Revenue Vehicle – LACMTA vehicles that are not used to carry fare-paying passengers.

Operating a bus or train – All inclusive actions taken from when an operator starts a bus or keys up a train (on-track vehicle) until after bus engine is shut off or the train is keyed down at the end of a run.

Roadway Worker Protection Device – any device authorized by LACMTA to protect workers while performing their job functions along a railroad right-of-way.

Safety-Sensitive Areas – areas where increased safety risk exists including, but not limited to, areas or lanes of bus yards/terminals/layover zones where buses operate, rail track fouling areas, work areas and maintenance shop floors (except designated yellow zones and on-board vehicles in shops), dyno rooms, paint booths, fueling islands, steam racks, vault houses, CNG facilities, and work consoles at Bus Operations Control (BOC) and Rail Operations Control (ROC).

8.0 RESPONSIBILITIES

Operations Department Chief/Chief Operations Officer reviews and updates this policy to comply with changes in state or federal law or LACMTA management directives.

All employees in the LACMTA Operations Department and all contractors who work at LACMTA Operations facilities are responsible for compliance with this policy.

Operations Management is responsible for setting standards of safety performance and for communicating, training, and enforcing the provisions of this policy.

9.0 FLOWCHART

Not Applicable

10.0 REFERENCES

Wireless Device and Service (IT 8) Policy

Non-Revenue Passenger Vehicles (GEN 16) Policy

11.0 ATTACHMENTS

Not Applicable

12.0 POLICY HISTORY

11/02/11 New policy.

**ACKNOWLEDGEMENT OF RECEIPT
POLICY ON USE OF ELECTRONIC DEVICES (OPS 1)**

I have received a copy of the *Policy on Use of Electronic Devices (OPS 1)*, dated 11/2/2011.

Print the following information:

Employee Name

Badge Number

Extension

Job Title

Department Number

Work Location

Signature

Date Signed

