

# 52.226-8 Encouraging Contractor Policies to Ban Text Messaging While Driving.

As prescribed in 26.605 , insert the following clause:

Encouraging Contractor Policies to Ban *Text Messaging* While Driving (MAY 2024)

(a) *Definitions*. As used in this clause-

"*Driving*"-

(1) Means operating a motor vehicle on an active roadway with the motor running, including while temporarily stationary because of traffic, a traffic light, stop sign, or otherwise.

(2) Does not include operating a motor vehicle with or without the motor running when one has pulled over to the side of, or off, an active roadway and has halted in a location where one can safely remain stationary.

*Text messaging* means reading from or entering data into any handheld or other electronic device, including for the purpose of short message service texting, e-mailing, instant messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication. The term does not include glancing at or listening to a navigational device that is secured in a commercially designed holder affixed to the vehicle, provided that the destination and route are programmed into the device either before driving or while stopped in a location off the roadway where it is safe and legal to park.

(b) This clause implements Executive Order 13513, Federal Leadership on Reducing *Text Messaging* While Driving, dated October 1, 2009.

(c) The Contractor is encouraged to-

(1) Adopt and enforce policies that ban *text messaging* while driving-

(i) Company-owned or rented vehicles or Government-owned vehicles; or

(ii) Privately-owned vehicles when on official Government business or when performing any work for or on behalf of the Government.

(2) Conduct initiatives in a manner commensurate with the size of the business, such as-

(i) Establishment of new rules and programs or reevaluation of existing programs to prohibit *text messaging* while driving; and

(ii) Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

(d) *Subcontracts*. The Contractor *shall* insert the substance of this clause, including this paragraph (d), in all subcontracts that exceed the *micro-purchase threshold*, as defined in Federal Acquisition Regulation 2.101 on the date of subcontract award.

(End of clause)

**Parent topic:** [52.226 \[Reserved\]](#)