

In-car comms: best not touch says NASP

Since the doubling of penalty points for the use of hand-held mobile phones, all ADI trade associations have received requests for advice from members on the best way to use such devices and tablets.

This subject has also been widely discussed in driving test centres and on ADI forums. Instructors want to know what they can and what they cannot do regarding the use of these devices. The challenge is that the law regarding them is quite old. These descriptors of the regulations are paraphrased. Please refer for the actual regulations for the law.

The Road Vehicles CU Regulation 1986 section 109 states: *No person shall drive, or cause or permit to be driven, a motor vehicle on a road, if the driver is in such a position as to be able to see, whether directly or by reflection, a television receiving apparatus or other cinematographic apparatus used to display anything other than information: about the state of the vehicle or its equipment; about the location of the vehicle and the road on which it is located; to assist the driver to see the road adjacent to the vehicle; or to assist the driver to reach his destination."*

The last four points refer, of course, to sat navs, which do display moving images on a screen but are legal.

In addition, **the Road Vehicles CU Regulations 2003 section 110** states:

No person shall drive a motor vehicle; cause or permit any other person to drive a motor vehicle or supervise the holder of a provisional licence if that person is using: a hand-held mobile telephone or a hand-held device.

There are some exceptions: calling the police, fire, ambulance or other emergency service on 112 or 999 or acting in response to a genuine emergency.

A mobile telephone or other device is to be treated as hand-held if it is, or must be, held at some point during the course of making or receiving a call or performing any other interactive communication function which includes the following: sending or receiving oral or written messages; sending or receiving facsimile documents; sending or receiving still or moving images; and providing access to the internet.

Road Vehicles CU Regulations 1986 section 98 states:

Stopping of engine when stationary, the driver of a vehicle shall, when the vehicle is stationary, stop the action of any machinery attached to or forming part of the vehicle so far as may be necessary for the prevention of noise. This does not apply when the vehicle is stationary owing to the necessities of traffic.

Finally, the recently revised **ADI Code of Practice** states:

Those who sign up will not use mobile devices like phones when driving or supervising client's driving and only when parked in a safe and legal place.

The questions surrounding the use of these devices are numerous. Some trainers have sought advice about the use of tablets for marking mock test sheets, while others have requested information about using the phone on hands-free while holding the phone or holding the phone to check a text or email. Some trainers may feel that this advice does not reflect their view of the various rules and regulations.

So NASP have agreed the following advice? This information has been issued to ensure that those who follow it stay within the law and conduct themselves in a safe and professional manner.

The best practice advice issued by NASP regarding the use of mobile devices including mobile phones; tablets; iPads; lap top computers and similar devices, excluding purpose-made satellite navigation devices, while driving or conducting driving lessons is...

don't...

unless the vehicle is properly parked with the engine switched off.



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