

OFFICE OF THE MAYOR  
CITY OF TULSA, OKLAHOMA

EXECUTIVE ORDER 2010-01

AN EXECUTIVE ORDER PROHIBITING CITY OF TULSA EMPLOYEES FROM "TEXTING" OR "TEXT MESSAGING" WHILE OPERATING A CITY-OWNED VEHICLE OR A PRIVATELY-OWNED VEHICLE WHILE ENGAGED IN CITY OF TULSA BUSINESS.

The City of Tulsa can and should demonstrate leadership in reducing the dangers of text messaging while driving.

Deadly crashes involving drivers distracted by text messaging while behind the wheel highlight a growing danger on our roads.

Text messaging causes drivers to take their eyes off the road and at least one hand off the steering wheel, endangering both themselves and others.

A prohibition on City of Tulsa employees from the use of text messaging while driving on official business or while using City of Tulsa owned motor vehicles will help save lives, reduce injuries, and set an example for state and local governments, private employers and individual drivers.

Therefore, by virtue of the power vested in me as the Mayor of the City of Tulsa, Oklahoma, it is hereby ordered:

**Section 1. Definitions.** The following words and phrases used in this Executive Order shall have the meaning ascribed:

A. **"Texting" or "Text Messaging"** means reading from or entering data into any handheld or other electronic device, including for the purpose of SMS texting, emailing, instant messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication.

B. **"Driving"** means operating a motor vehicle or heavy equipment on an active roadway or a heavy equipment job site with the motor running, including while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise. It 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.

C. **"City-owned Vehicle"** means any motor vehicle or heavy equipment (1) owned by, leased, rented or loaned to the City of Tulsa, or (2) owned by the City of Tulsa and leased, rented or loaned to a public trust and operated by a City of Tulsa employee.

D. "Privately-owned Vehicle" means any motor vehicle or heavy equipment owned by a person or entity other than the City of Tulsa and operated by a City of Tulsa employee while on City of Tulsa business.

**Section 2. Texting by City Employees While Driving Prohibited.** City of Tulsa employees shall not engage in text messaging while driving a City-owned Vehicle or while driving a Privately-owned Vehicle while on City of Tulsa business or otherwise use electronic equipment supplied by the City of Tulsa while driving.

**Section 3. Scope of Order.** Division and department heads may exempt from the requirements of this order, in whole or in part, certain employees, devices, or vehicles under their respective supervision and control that are engaged in or used for public safety or law enforcement responsibilities or on the basis of other emergency conditions.

**Section 4. No Private Right or Benefit Created.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the City of Tulsa, Oklahoma, its divisions, departments, agencies, or entities, its officers, employees, or agents, or any other person.

**Section 5. Effective Date.** This order shall take effect immediately.

Approved and effective this 5<sup>TH</sup> day of February 2010.



  
Dewey F. Bartlett Jr., Mayor

  
Deputy City Clerk

APPROVED:

  
City Attorney