



DEPARTMENT OF THE TREASURY
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MEMORANDUM FOR BUREAU CHIEF PROCUREMENT OFFICERS

FROM: Thomas A. Sharpe, Jr. 
Senior Procurement Executive
Office of the Procurement Executive

SUBJECT: Initial Implementing Guidance for the Prohibition on Text Messaging and Using Electronic Equipment Supplied by the Government while Driving

Purpose: This AB implements Executive Order 13513 dated October 1, 2009, entitled Federal Leadership on Reducing Text Messaging While Driving. This AB provides initial policy for implementing the ban on text messaging and using electronic equipment supplied by the Government while driving. This policy applies to contractors and subcontractors as well as to acquisition and assistance professionals.

Effective Date: The date of issuance of this AB.

Expiration Date: This AB will expire when cancelled or superseded.

Background: The Federal Government is taking the lead in reducing the dangers of text messaging while driving. Recent 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. Every day, Federal employees drive Government owned, Government-leased, or Government rented vehicles (collectively GOV) or privately-owned vehicles (POV) on official Government business, and some Federal employees use Government-supplied electronic devices to text or e-mail while driving. A Federal Government-wide prohibition on the use of text messaging while driving on official business or while using Government-supplied equipment will help save lives, reduce injuries, and set an example for State and local governments, private employers, and individual drivers. Extending this policy to cover Federal contractors is designed to promote economy and efficiency in Federal procurement. Federal contractors and contractor employees who refrain from the unsafe practice of text messaging while driving in connection with Government business are less likely to experience disruptions to their operations that would adversely impact Federal procurement.

Pursuant to Executive Order 13513 (ref.: <http://edocket.access.gpo.gov/2009/pdf/E9-24203.pdf>, **all Federal employees are prohibited** from engaging in text messaging and using electronic equipment supplied by the Government (including, but not limited to, cell phones, Blackberries or other electronic devices) while:

driving Government-owned, -leased or -rented vehicles; and
driving privately-owned vehicles while on official Government business.

As defined in the Order, you are “texting” or “text messaging” if you are “reading from or entering data into any handheld or other electronic device, including for the purpose of SMS (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.” You are “driving” if you are operating a motor vehicle on a roadway. “Driving” includes times when you are temporarily stationary because of traffic congestion, a traffic signal or stop sign, other traffic control device, or otherwise.

Required Actions:

Include the following Treasury clause in solicitations or amendments to solicitations issued after the date of this AB:

Treasury AB 10-03-1052.223.6 Prohibition on Text Messaging and Using Electronic Equipment Supplied by the Government while Driving

Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, was signed by President Barack Obama on October 1, 2009 (ref.: <http://edocket.access.gpo.gov/2009/pdf/E9-24203.pdf>) . This executive order introduces a Federal Government-wide prohibition on the use of text messaging while driving on official business or while using Government-supplied equipment. Additional guidance enforcing the ban will be issued at a later date. In the meantime, please adopt and enforce policies that immediately ban text messaging while driving company-owned or –rented vehicles or GOV, or while driving POV when on official Government business or when performing any work for or on behalf of the Government.

End of Clause

The Office of the Procurement Executive will be issuing additional policies and procedures on implementing the executive order in the upcoming weeks.

Communications related to this AB may be directed to Karen Davis at karen.davis@do.treas.gov or (202) 622-2092.