



NEW MEXICO JUDICIAL BRANCH

GENERAL PERSONNEL POLICY AND PROCEDURE

Ref: NMJBPR Part 1, Section 1.03; Part 2, Section 15.03

Inquiries: AOC HR (505) 827-4937 or 827-4810

Dev: 09/27/11

Driving with Electronics Policy

1. PURPOSE

The New Mexico Judicial Branch is committed to protecting the safety, health and well-being of our employees, elected officials and other individuals at work and in our communities. Therefore, the New Mexico Judicial Branch restricts the use of all electronic devices to “hands free” operation while driving a motor vehicle on behalf of the courts. The New Mexico Judicial Branch also expects all employees to obey all traffic laws and drive vehicles safely and defensively at all times.

Although Judges are not judicial employees and are not bound by the New Mexico Judicial Branch Personnel Rules, all judges are encouraged to abide by this policy in the execution of their judicial duties.

2. DEFINITIONS

- A. **At-Will Employee** - A person in the Judicial Branch who is FLSA non-covered, on the New Mexico Judicial Branch Job Classification and Pay Schedule, excluding a justice or judge. (Ref: Administrative Authority, Appointing Authority and At-Will Employee List.)
- B. **Disciplinary Action** - A constructive action designed to correct an employee’s performance and/or behavior that is below acceptable standards.
- C. **Electronic Devices** – Includes personal and court issued cellular telephones or communication devices, personal data assistants (PDA), laptop computers, global positioning systems (GPS) and portable media players.
- D. **Employee** - A person who holds a permanent or term position within the Judicial Branch, excluding a justice, judge or at-will employee.
- E. **Judicial Branch** - The Supreme Court, the Court of Appeals, Administrative Office of the Courts, District, Metropolitan and Magistrate Courts, the Supreme Court Building Commission, the New Mexico Compilation Commission and the Supreme Court Law Library.
- F. **On-Duty** - Time during which an at-will employee or employee is expected to be engaged in job duties solely for the purpose of the employer’s benefit and for which the at-will employee or employee receives an hourly wage or salary.



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3. **Expectations**

All Judicial Branch judges, employees and At-Will employees while on duty are expected to obey all traffic laws and operate motor vehicles safely and drive defensively at all times. This includes the wearing of safety belts while operating or riding in any motor vehicle and adherence to all traffic laws, speed limits, traffic signals and signs.

4. **Electronic Devices**

While on- duty, operating a motor vehicle (either personal or court owned), all Judicial Branch judges, employees and At-Will employees should refrain from using any electronic device. If the use of a cellular communication device is imperative, the device may only be operated in a "hands free" mode and shall not be used to transmit text messages, send e-mails or access the internet for either professional or personal use.

5. **Policy Violations**

Violations of this policy may result in disciplinary action.

Effective Date:

Arthur W. Pepin, Director
Administrative Office of the Courts

9/27/2011
Date

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I, _____, acknowledge that I have received, read and understand the Driving with Electronics Policy, and I understand that I am responsible to adhere to this policy. I understand that while operating any motor vehicle while on-duty, if I must use a cellular communication device, I must use that device in a "hands-free" mode and I will not send text messages, e-mails or access the internet for either personal or professional use. I will comply with all traffic laws, practice defensive driving and strive to operate any motor (either personal or court owned) vehicle safely.

I understand any violation of this policy shall subject me to disciplinary action up to and including termination.

Signature: _____

Date: _____

cc: Employee Personnel File