
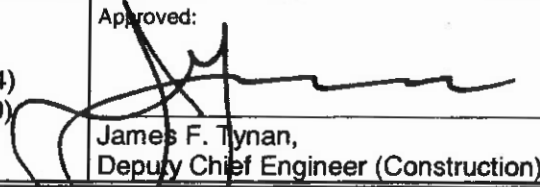


<p>MODIFIED BY <u>EI 11-016</u> EFFECTIVE <u>1/12/12</u></p>	<p>Superseded By EI 14-021 Effective 1/8/15</p>		<p><i>New York State Department of Transportation</i> ENGINEERING INSTRUCTION</p>	<p>EI 08-017</p>
<p>Title: USAGE OF PORTABLE PHONES AND PERSONAL ENTERTAINMENT DEVICES</p>				
<p>Distribution: <input checked="" type="checkbox"/> Manufacturers (18) <input checked="" type="checkbox"/> Local Govt. (31) <input checked="" type="checkbox"/> Agencies (32)</p>	<p> <input checked="" type="checkbox"/> Surveyors (33) <input checked="" type="checkbox"/> Consultants (34) <input checked="" type="checkbox"/> Contractors (39) </p>	<p>Approved:  James F. Tynan, Deputy Chief Engineer (Construction)</p>		<p><u>4-15-08</u> Date</p>

ADMINISTRATIVE INFORMATION:

- This Engineering Instruction (EI) is effective upon signature.
- This EI does not supersede any other issuances. This EI modifies EI 07-006.
- This revision will be incorporated into a future update of the Standard Specifications.

PURPOSE:

This EI issues revisions to §107-05 and §619-3.02L.2 of the Standard Specifications.

TECHNICAL INFORMATION:

- The use of portable phones such as cell phones, smart phones, Blackberries, etc., may make certain employees more productive, but it can also be counter productive and affect the safety of employees by distracting them from the task at hand, such as driving, operating equipment and/or the ability to perceive hazards.
- The use of entertainment devices or media players with earphones, such as radios, MP3 players, i-PODs, and other personal listening devices, distracts employees from the tasks at hand, such as driving, operating equipment, or perceiving hazards, and is prohibited.
- This policy does not apply to hearing aids or approved hearing protection devices (PPE) to control noise.

IMPLEMENTATION:

- Main Office Design Quality Assurance Bureau will insert the standard specification shelf note beginning with projects submitted for the letting of 09/04/08.
- Engineers-in-Charge of ongoing contracts and those let prior to the inclusion of the shelf note in the contract proposal should provide a copy of this EI to the contractor and file a copy of this EI in the contract records as documentation of the change in accordance with the Contract Administration Manual (CAM) §104-02.

TRANSMITTED MATERIALS:

Attached are standard specification shelf notes for §107-05U. Use of Personal Listening Devices and Portable Phones, and §619-3.02L.2. Flagger Equipment.

CONTACT: Direct questions regarding this EI to Janice Methé of the Office of Construction via e-mail at JMethe@dot.state.ny.us or at (518) 457-6472.

USAGE OF CELL PHONES/SMARTPHONES/ENTERTAINMENT DEVICES

Make the following changes to the Standard Specifications of May 4, 2006:

Page 115 Insert §107-05U. *Use of Personal Entertainment Devices and Portable Phones.*

U. Use of Personal Entertainment Devices and Portable Phones. The Contractor shall ensure that workers are able to perceive hazards, are not distracted from their tasks, and are not creating hazard(s) through the use of personal entertainment devices. The Contractor shall ensure that portable phones, two-way radios, and other communication devices are used by workers for performing work tasks only. Flaggers shall use portable phones, two-way radios, and other communication devices only to communicate with other flaggers, workers or supervisors regarding flagging operations. Equipment operators shall use portable phones, two-way radios or other communication devices while actively operating equipment only for communicating with workers performing directly related work tasks. Truck drivers shall use hands free technology for all calls while driving within work zones. Portable phones, two-way radios, and other communication devices shall be equipped with hands-free technology whenever practicable. Workers shall not use personal entertainment devices with earphones such as radios, iPods, MP3 players, media players, or other personal listening devices while working.

Page 23 of 46 of EI 07-006, **Delete** §619-3.02L.2, as modified and **Replace** it with the following:

2. Flagger Equipment. Flaggers shall wear orange protective helmets and traffic control apparel in accordance with §107-05A. *High Visibility Apparel.* Flaggers shall be appropriately dressed, including apparel that covers the legs, torso, and arms with sleeves a minimum of 100 mm long and appropriate footwear. Immodest or sloppy dress will not be permitted. Flaggers shall be equipped with an emergency air horn to alert workers of errant vehicles or other dangerous situations. Where flaggers are not within sight of each other, each flagger shall be equipped with a communication device, such as portable phone or two-way radio. The communication device shall only be used to communicate with other flaggers, other workers, or supervisor(s) regarding the flagging operations. Where the distance between flaggers is more than 1 km or where shown in the contract documents, the Contractor may use pilot cars to lead lines of vehicles through the work zone.

The standard signaling device for flagging operations, where one or more flaggers are controlling a single stream of traffic or two alternating streams of traffic in opposite directions, shall be STOP/SLOW signal paddles. Red signal flags may be used where display of the STOP and SLOW faces in opposite directions may be inappropriate or misleading.