

**Pennsylvania State Police Testimony**  
**Pennsylvania House of Representatives**  
**Transportation Committee**

**Public Hearing: Distracted Driving**  
**October 15, 2007**

**Presented by:**  
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Good Morning. I am Captain Jacob M. Crider of the Pennsylvania State Police. I am the Director of the Patrol Services Division of the Bureau of Patrol. On behalf of Colonel Jeffrey B. Miller, the Commissioner of the Pennsylvania State Police, I would like to thank you for the invitation to provide testimony at this public hearing concerning distracted driving.

Highway safety continues to be a major objective of the Pennsylvania State Police. In our efforts to achieve this objective, Troopers enforce the traffic laws of the Commonwealth as part of their patrol duties. Troopers also investigate vehicle crashes to identify causal factors and then take appropriate enforcement action to help prevent future crashes.

According to the National Highway Traffic Safety Administration (NHTSA), driver inattention is the leading factor in most crashes and near crashes. Primary causes of inattention are distracting activities such as cell phone use and drowsiness. The most common distraction for drivers is the use of cell phones according to NHTSA. However, the number of crashes and near-crashes attributable to dialing is nearly identical to the number associated with talking or listening. Dialing is more dangerous but occurs less often than talking or listening. When a driver is text messaging on a cell phone he or she is not only "dialing" to send messages, but also reading incoming text messages as well. This is not only distracting, but requires the driver to take his or her eyes off the roadway.

As the Pennsylvania Driver's manual states, "Driving requires constant awareness of everything around you such as speed, signs, and road conditions." Many drivers at some point look away from the road, whether it is to text on a cell phone, dial a cell phone, when talking on the phone, to read, apply make-up, eat fast food, drink a cup of coffee, check their Blackberry, or even only to change the radio station or replace a CD. However, the more frequently a driver engages in such multi-tasking activities, the greater the chance their inattentiveness will cause a vehicle crash. No one can be sure when it is safe to look away. The situation on a highway can change in an instant, leaving a driver with little time to react. Examples of distracted driving, such as text messaging or talking on a cell phone, are an even greater problem when the driver is committing another moving violation, such as speeding or following another vehicle too closely.

According to the Pennsylvania Driver's Manual, driver distraction and inattention to road and traffic conditions are responsible for 25 percent to 30 percent of police-reported traffic crashes. This adds up to approximately 1.2 million traffic crashes every year. The Pennsylvania Driver's manual also reports that research has found a normal, undistracted driver fails to notice an important road event such as another driver making a mistake, three percent of the time. An adult dialing a cell phone misses the same event 13 percent of the time. A teenager dialing a cell phone misses the event 53 percent of the time. The Pennsylvania Driver's Manual recommends that "for safety purposes drivers

should pull to the side of the road to make or receive calls.” The National Highway Traffic Safety Administration’s (NHTSA) position on cell phone use is as follows: “The primary responsibility of the driver is to operate a motor vehicle safely. The task of driving requires full attention and focus. Cell phone use can distract drivers from this task, risking harm to themselves and others. Therefore, the safest course of action is to refrain from using a cell phone while driving.” According to a NHTSA study, 6% of drivers used hand held phones while driving in 2005. This was an increase from 5% of drivers in 2004. The number of drivers speaking “with headsets on” while driving increased from 0.4% in 2004 to 0.7% in 2005.

The Pennsylvania Department of Transportation (PennDOT) has been collecting data on the use of cellular telephones by drivers involved in reportable vehicle traffic crashes investigated by police in Pennsylvania. The statistics collected do not specify whether the use of the cell phone was a contributing factor to the crash, but rather whether the cell phone was in use at the time of the traffic crash. Below is a chart which indicates cell phone use in reportable crashes statewide for Pennsylvania from the years 2002 through 2006 provided by PennDOT:

	2002	2003	2004	2005	2006	5-year total
Cell Crashes	1,231	1,015	1,250	1,265	1,297	6,058
All Crashes	138,256	140,464	137,762	133,631	128,486	678,599
Percentage	0.890%	0.723%	0.907%	0.947%	1.009%	0.893%

The current PennDOT Traffic Crash Report does contain an entry block to indicate whether the use of a cell phone was a contributing factor in the crash. However, the investigating officer or trooper generally relies on the observation of a witness or the statement of a driver in making a determination concerning cell phone use. This information may not be a true indicator of the effect of cell phone usage in vehicle crashes.

If a trooper determines the use of a cell phone, by the driver, was a contributing factor to a crash or a traffic violation, the driver could be cited under the Vehicle Code Section 3714, "Careless Driving". This section states "Any person who drives a vehicle in careless disregard for the safety of persons or property is guilty of careless driving, a summary offense." Often, a more specific causal traffic violation occurs as a result of a driver engaging in a secondary activity while they are driving. Such common violations include "Following too Closely", "Driving on Roadways Laned for Traffic" (moving from one lane to another), or "Driving on Right Side of Roadway" (swerving into opposite lane).

According to the Governor's Highway Safety Association (GHSA), highlights of current state cell phone driving laws include the following:

- In May of 2007, Washington became the first state to ban driving while text messaging for all drivers. A few other states are considering similar measures.
- Seventeen states and the District of Columbia have special cell phone driving laws for novice drivers.
- School bus drivers in 14 states and the District of Columbia are prohibited from all cell phone use when passengers are present, except for emergency situations.
- No state completely bans all types of cell phone use (handheld and hands-free) while driving.
- Connecticut, New York, New Jersey and the District of Columbia have enacted jurisdiction-wide cell phone laws prohibiting driving while talking on handheld cell phones. California and Washington have passed similar laws that will go into affect in July, 2008. Many other states ban cell phone use in specific situations.
- Some states, such as Utah and New Hampshire, treat cell phone use as a larger "distracted driving" issue.
- Because there are few studies and little crash data available, states are beginning to take a more active role in improving data collection. DeKalb County, Georgia has begun sanctioning drivers whose "improper" usage of a mobile phone was a "contributing factor" in a collision causing death, injury or damage. The law is likely the first of its kind in Georgia and perhaps elsewhere.

While the ability to multi-task may be a desirable attribute in the office or at home, all available research indicates drivers should do their best to focus solely on driving and potential hazards while they are behind the wheel. Engaging in any other activity while driving, increases the chances the driver will be involved in a vehicle crash. The State Police have and will continue to take appropriate enforcement action against those drivers who commit traffic violations, in an effort to minimize the number of vehicle crashes and the resulting injuries and fatalities which occur far too often.

Once again, I thank you for the opportunity to appear before this committee today. I would be happy to answer any questions.