

## **Eric R. Teoh**

Eric R. Teoh is a Statistician with the Insurance Institute for Highway Safety. He has a Masters in Mathematics, as well as a background in Biostatistics. His research interests and activities cover a broad variety of highway safety topics and focus on motorcycles, teenagers, large trucks, and vehicle design aspects.

**Statements before the Pennsylvania House of  
Representatives Transportation Committee**

**Pennsylvania Seat Belt Requirements  
and Distracted Driving Issues**

**Eric R. Teoh**

**April 13, 2010**

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The Insurance Institute for Highway Safety is a nonprofit research and communications organization whose mission is to reduce the deaths, injuries, and property damage that occur on our nation's roads. We are supported by automobile insurers. Thank you for the opportunity to share results of our research on the risks of young drivers transporting other teenage passengers as well as research on the risk associated with cellphone use while driving and the effect of state laws on restricting phone use while driving.

**PANEL 1 – EVIDENCE FOR GDL LAWS ON PASSENGER RESTRICTIONS, CELLPHONE RESTRICTIONS, AND PRIMARY SEAT BELT USE FOR ALL TEENAGE PASSENGERS**

**Driving with Passengers**

Most teenagers fatally injured in crashes are drivers, but many teenagers also die as passengers. In Pennsylvania, 39 percent of passenger vehicle occupant deaths among 16-19 year-olds during 2004-08 were passengers. Among 16 year-olds, this increases dramatically (61 percent passengers, 39 percent drivers) (Table 1). Seventy-three percent of the 16-year-old passengers killed were in passenger vehicles driven by teenage drivers (Table 2).

**Table 1  
Number of Fatally Injured Teenage Passenger Vehicle Drivers and Passengers in Pennsylvania, 2004-08**

Age	Drivers	Passengers
16	45	70
17	107	72
18	139	78
19	130	54
Total	421	274

**Table 2  
Percentage of Teenage Passengers Fatally Injured in Passenger Vehicles Driven by Teenage Drivers (Ages 16-19) in Pennsylvania, 2004-08**

Age	Number of passenger crash deaths	Percentage of deaths in vehicles with teenage drivers
16	55	73
17	49	68
18	46	59
19	31	53
Total	181	64

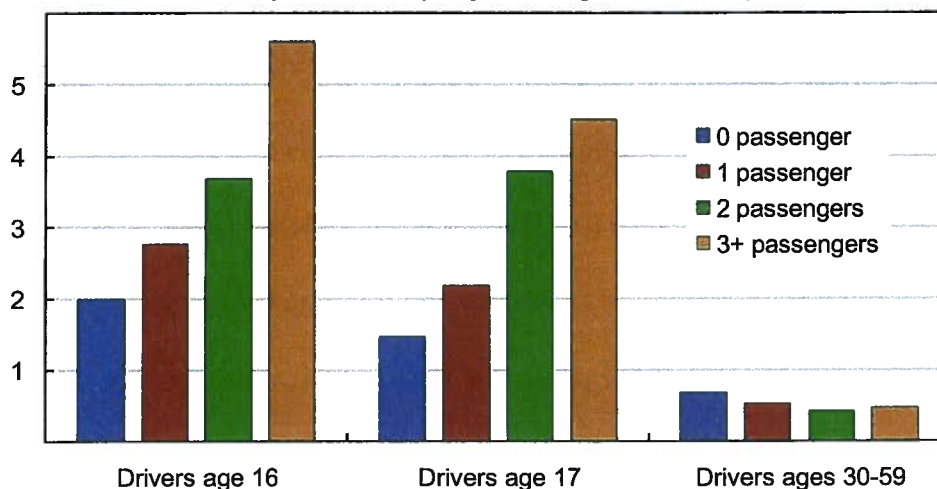
A major crash risk factor for teenage drivers is passenger presence, especially teenage passengers. For older drivers, passenger presence either has no effect on crash risk or decreases it; but for young drivers, passengers greatly magnify the risk.<sup>1</sup> That is, teenagers' already high fatal crash risk when driving alone increases dramatically when passengers are added (Figure 1, page 2).<sup>1</sup>

Teenage passengers create distractions for drivers who are inexperienced to start with and who need to be paying full attention to the driving task. Plus the presence of peers in the vehicle may induce young drivers to take risks.

**Restrictions on Driving with Passengers**

Passenger restrictions can involve some inconvenience for parents. Still, Insurance Institute for Highway Safety (IIHS) surveys of parents show strong support for graduated licensing in states where it has been adopted and for passenger restrictions where they are in effect.<sup>2,3</sup>

**Figure 1**  
**Driver Death Rates per 10,000 Trips by Driver Age and Passenger Presence**



Because of the risks that teenage passengers pose for young drivers, 42 states and the District of Columbia have introduced passenger limitations as part of their graduated driver licensing (GDL) systems. Evaluations conducted in states that have enacted passenger restrictions have found these restrictions are effective in reducing crashes of teenage drivers transporting other teenagers.<sup>4-7</sup>

Additionally, IIHS has evaluated the effect of US state GDL laws on the rate of teenage driver fatal crash involvements per 100,000 teenagers during 1996-2007 and the contributions of specific licensing components.<sup>8</sup> The fatal crash rate for 15-17-year-old drivers was 21 percent lower when they were prohibited from having any teenage passengers in their vehicles versus allowing two or more passengers. Allowing only one teenage passenger reduced the rate by 7 percent. A companion study by the Highway Loss Data Institute, an affiliate of IIHS, evaluated the effect of GDL laws on the frequency of insurance collision claims per insured vehicle year among insured teenage drivers during 1996-2008.<sup>9</sup> Collision insurance covers damage to the insured driver's vehicle, and the majority of collision claims are for relatively minor crashes. The study found a 5 percent reduction in the rate of collision claims for 16-17-year-old drivers subject to restrictions allowing no more than one teenage passenger, compared with drivers not subject to passenger restrictions or those allowed to have more than one teenage passenger.

Implementing a strong passenger restriction as part of Pennsylvania's GDL law will reduce the rate of teenage crashes and save lives.

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## **PANEL 2 – EVIDENCE FOR DISTRACTED DRIVING LEGISLATION AND CELLPHONE/TEXTING BANS FOR ALL DRIVERS**

### **Cellphone Use while Driving Is Widespread**

Many US drivers talk on cellphones while driving. Observational surveys conducted by the National Highway Traffic Safety Administration (NHTSA) indicate that at any given time during daylight hours in 2008, 6 percent of passenger vehicle drivers were talking on hand-held phones. This was double the rate observed in 2000, but use has not risen since 2005.<sup>1-3</sup> Precise measurements of hands-free cellphone use cannot be obtained through observational surveys, but many drivers report using hands-free phones in telephone surveys.<sup>4-7</sup> Based on drivers' self-reported phone use combined with observed use rates, NHTSA estimates that 11 percent of drivers were using any kind of phone at any given daylight moment in 2008. The estimated rate of daytime total phone use was up from 4 percent in 2000 but has been relatively steady since 2005.<sup>1-3</sup>

A recent national telephone survey of drivers found that roughly 7 percent of time behind the wheel is spent on the phone.<sup>7</sup> This is lower than the federal government's daytime estimate, but includes driver phone use on all kinds of roads during all hours. Overall, 40 percent of drivers surveyed reported talking on phones at least a few times per week, and 19 percent talk daily. Forty-two percent of drivers said they use phones when traffic was stop and go, just shy of the 45 percent who use them in free-flowing traffic on high-speed roads, presumably when driving requires less concentration. Even in heavy, fast traffic, 24 percent said they have talked on phones.

### **Risk Associated with Cellphone Use while Driving**

Research has established that talking on a phone increases crash risk. Two controlled epidemiological studies used cellphone company billing records to verify crash-involved drivers' phone use. One study observed that talking on a phone was associated with a four-fold increase in the risk of a property-damage-only crash,<sup>8</sup> and the other observed a four-fold increase in the risk of a crash serious enough to injure the driver.<sup>9</sup> In both studies, the increased risk was similar for hand-held and hands-free phones.

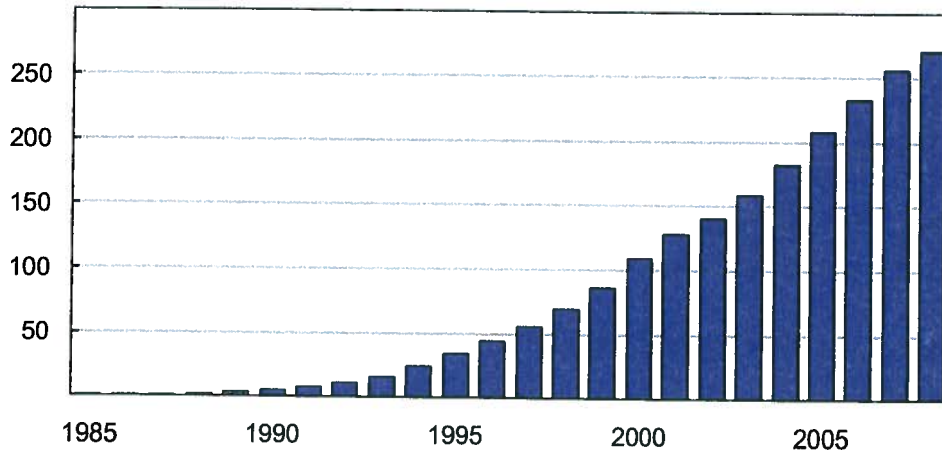
Other evidence comes from research involving drivers observed in their own vehicles outfitted with cameras and other technology. In a study of 100 vehicles monitored for about a year, cellphone use was a common source of driver distraction.<sup>10</sup> The odds of an at-fault near-crash or crash were 2.8 times as high when dialing a hand-held device than when hand-held phones were not used. When talking on a hand-held phone, the odds were 1.3 times as high. This increase did not reach traditional levels of statistical significance, but when the amount of time spent conversing on a phone versus dialing was considered, the percentages of near-crashes or crashes attributable to talking and dialing hand-held phones were equivalent (3.6 percent).

### Effect of Increased Phone Use on Population Crash Rates

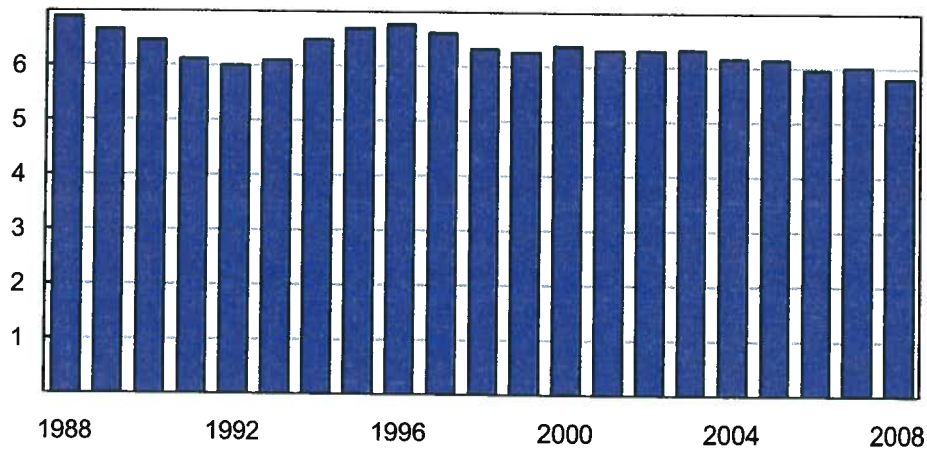
The increased rates of cellphone use (Figure 1) would be expected to be leading to increased rates of crashes in the US population. The Insurance Institute for Highway Safety (IIHS) and National Safety Council have separately estimated that the rates of cellphone use by drivers, coupled with the four-fold increase in crash risk, would imply that by 2008, 20-25 percent of crashes were caused by cellphone use.<sup>11,12</sup> However, the number of police-reported crashes has steadily declined during the past decade (Figure 2). Similarly, there has been no increase in insurance collision claim frequencies per insured vehicle year during this time period (Figure 3, page 6).

This is a paradoxical finding. It is theoretically possible that factors other than cellphone use are acting to reduce crash risk nationally, and that increased cellphone use actually has limited this reduction. But

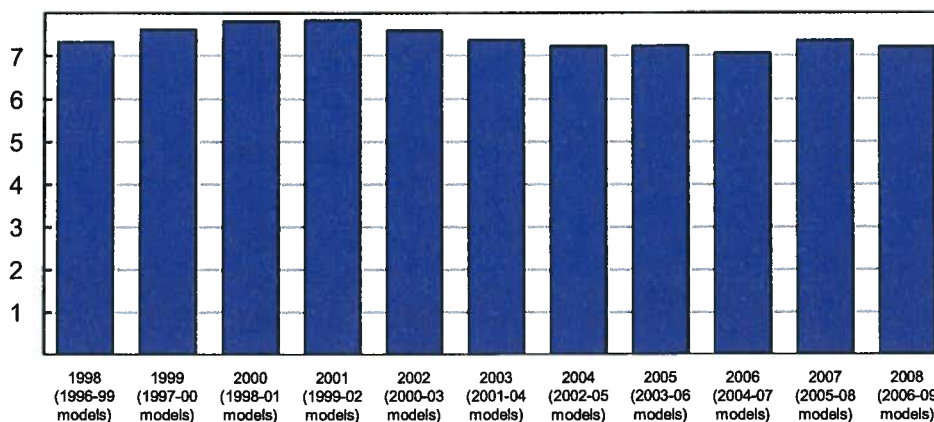
**Figure 1**  
**US Cellphone Subscribers (in Millions), 1985-2008**



**Figure 2**  
**Police-Reported Crashes (in Millions), 1988-2008**



**Figure 3**  
**Collision Claims per 100 Insured Vehicle Years by Calendar Year**  
**Based on Four Most Recent Model Years**



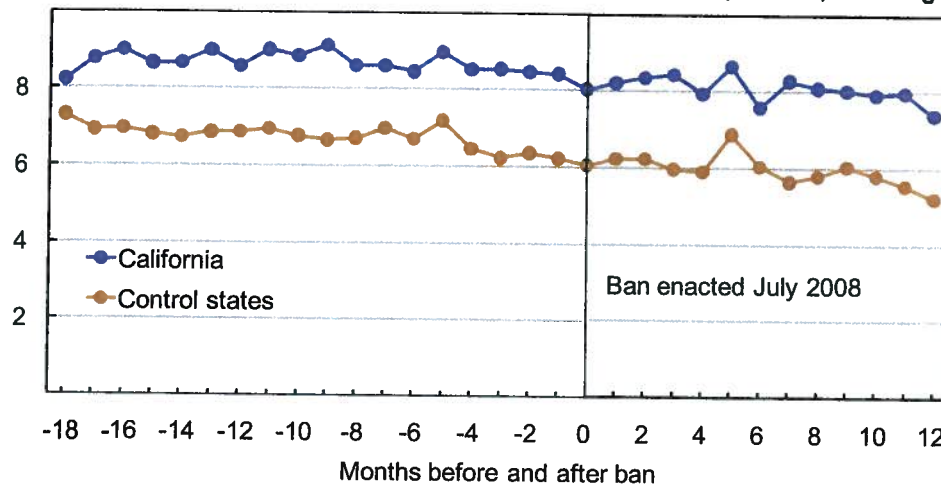
there are no known factors that would be expected to have offset the large increase in risk estimated from cellphone use. More important, this would imply that a reduction in cellphone use by drivers should increase the decline in crash rates. Analysis of crash rates in states that have banned handheld phone use shows this not to be the case.

IIHS studied driver cellphone use following three bans on handheld use by all drivers in New York, Connecticut, and the District of Columbia and found that long-term reductions in handheld use varied from 24 to 65 percent.<sup>13-15</sup> Some of the reductions in handheld use occurred as drivers switched to hands-free devices, but probably not all. In a 2009 IIHS telephone survey, respondents in states with handheld bans for all drivers were much more likely than respondents in other states to say they use hands-free devices (22 vs. 13 percent) but also to say they never phone while driving (44 vs. 30 percent).

However, this clear change in driver phone use behavior has not been accompanied by reductions in crashes in the states with handheld bans. The Highway Loss Data Institute, an affiliate of IIHS, recently analyzed insurance collision claim frequencies for 0-3-year-old vehicles in four jurisdictions with handheld bans. Figure 4 shows monthly frequencies of collision claims per 100 insured vehicle years in California during the 18 months before and 12 months after the state's hand-held ban took effect in July 2008. Also shown are claim frequencies for vehicles aggregated across the neighboring states of Arizona, Nevada, and Oregon, jurisdictions without bans. Although monthly claim frequencies varied considerably, there was no change in California associated with the law. Monthly changes in claim frequencies during the months leading up to and following the California ban were very similar to patterns in the comparison states. Collision claim frequencies also were examined before and after bans took effect in New York, Connecticut, and the District of Columbia relative to claim frequencies in nearby jurisdictions that did not have bans. Results were the same: no reduction in claim frequencies coincident with the laws.



**Figure 4**  
**Collision Claim Frequencies (per 100 Insured Vehicle Years) for New Vehicles**  
**before and after Hand-Held Phone Use Ban, California vs. Arizona, Nevada, and Oregon**



These findings are not consistent with what research has found about the risk of cellphone use while driving. If crash risk increases with phone use and fewer drivers use phones where it is illegal to do so, a decrease in crashes would be expected. However, collision claim frequencies did not decline after hand-held phone bans. Nor were there increases in claim frequencies before the phone bans took effect, when drivers' phone use had been increasing.

The finding that national and state crash rates are uncorrelated with changes in driver cellphone use is difficult to explain, given the wealth of data showing that cellphone use is distracting and increases driver errors. One possible explanation is that the crash risk associated with cellphone use has been overestimated. Another is that driver distraction in the absence of cellphone use has been underestimated; it is possible that driver phone use is displacing other distracting behavior that similarly increases crash risk. At this time, the explanation is unknown. What is known is that population crash risk has not increased with driver phone use, and state laws that reduce phone use have not improved safety as measured by crashes reported to insurers.

### Texting while Driving

It is apparent that looking at a phone and manipulating it with both hands is inconsistent with safe driving. Yet 13 percent of drivers interviewed in the 2009 IIHS survey reported at least some texting while driving, and this figure rose to 43 percent for drivers ages 18-24.<sup>7</sup> There is not a lot of research on texting and driving, but three studies of young drivers found that receiving, and especially sending, text messages led to decrements in simulated driving performance, particularly lane keeping and reaction time.<sup>16-18</sup> A naturalistic driving study reported a 23-fold increase in the risk of crashing, nearly crashing, conflicting with traffic, or drifting from the driving lane among truckers who texted while driving. More than 95 percent of the

incidents involved traffic conflicts or lane drifts, 4 percent were near-crashes, and less than 1 percent were crashes. It is unknown whether the findings can be generalized to drivers of passenger vehicles.

Laws banning texting while driving, especially ones allowing drivers to dial phones, are difficult to enforce. So far it appears that drivers, especially young adults, largely ignore texting bans. Among 18-24 year-olds responding to IIHS's telephone survey, 45 percent reported texting while driving in states that ban the practice for all drivers, just shy of the 48 percent of drivers the same ages who reported texting in states without bans. Among drivers 25-29, 40 percent reported texting in states with bans, compared with 55 percent in states without bans. Twelve percent of drivers ages 30-59 reported texting while driving in states both with and without bans.<sup>7</sup> Only about half of the drivers in states with all-driver texting bans knew about the bans, and only 22 percent of them thought the bans were being strongly enforced.

### **Crash Avoidance Technology May Help**

Driver error has long been the most frequent proximal cause of crashes, even before the advent of cell-phones and other electronic distractions in vehicles.<sup>19</sup> To prevent or mitigate some of these errors, auto-makers and their suppliers are introducing technology designed to alert drivers to imminent collisions or dangerous situations and, in some cases, take action automatically to brake or correct vehicle course. Such technology may offer some protection against distractions from cellphone use, with the additional advantage that the technology would address errors made by drivers when the distractions come from other sources.

### **Remaining Research Questions**

Policymakers require better evidence on several key issues to make sound decisions about what countermeasures to adopt. It is known that phone use while driving increases crash risk, but there are discrepancies in the estimated size of the risk that need to be better understood. The risk associated with various types of hands-free phones, including fully hands-free devices, relative to other devices has not been established. The most serious knowledge deficit is understanding why banning driver cellphone use does not reduce collision claim frequencies, even though research has demonstrated the risk of phone use while driving and that bans reduce how often phones are used behind the wheel.

IIHS will continue to conduct research to understand apparent discrepancies in the findings of various studies and seek answers to key questions so that public policy will be based on sound evidence.

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Testimony to the Pennsylvania House Transportation Committee

Justin McNaull

AAA, Director, State Relations

April 13, 2010

Good morning, and thank you for the opportunity to speak with your committee today. I'm Justin McNaull, Director of State Relations for AAA. I assist AAA staff around the country in their traffic safety advocacy efforts. Here in Pennsylvania, I work with Ted Leonard of the AAA Federation on behalf of the AAA clubs and AAA members in the Commonwealth.

During the last 15 years, AAA clubs have been active across the country promoting graduated driver licensing, enacting improved teen licensing processes that have saved thousands of lives. During this time, we've seen all 50 states enact varying forms of graduated driver licensing. Some states have come back for multiple bites at the apple to improve safety for teens and others. In many of these states, those "return trips" to teen driver safety have involved establishing or improving passenger limits. As the members of the committee know, Pennsylvania has had this dialogue for several years. The time to act is now.

Ample research has shown the benefits of restricting teen passengers from riding with new teen drivers. For a state like Pennsylvania that already has a number of good GDL components, I'd encourage consideration of a couple points.

--AAA Foundation for Traffic Safety and Johns Hopkins research has shown that GDL components have a positive, additive effect. As states add components to their GDL systems, they get greater reductions in crashes, injuries, and deaths. Similarly, as states strengthen components, they get better results. Adding a passenger limit – and making it a good one – will improve safety in Pennsylvania.

--Improving safety for teen drivers improves safety for us all. According to AAA's "Everyone Is At Risk" report, nearly two-thirds of the people killed in teen driver crashes are people other than teen drivers. We're talking about passengers, occupants of other vehicles, pedestrians, bicyclists, etc. As we've tracked this data across the years, we've seen a correlation between drops in teen driver deaths, and reductions in all people killed in teen driver crashes. When you save teen driver lives, there's a multiplier effect.

--There's financial benefit in improving teen driver safety, as well. I'm not talking about sanctions and incentives, but about real costs being incurred now by Pennsylvania's families and government. According to analysis done by PIRE for AAA, crashes involving drivers ages 15 to 17 in Pennsylvania cost \$1.2 billion in 2006. Reduce these crashes and you save lives, of course, but also medical costs, emergency response costs, lost wages, property damage, and more.

And the people of Pennsylvania support it. According to surveys by the AAA Pennsylvania Federation, 96 percent of AAA members support limiting the number of passengers in a vehicle with a teen driver. These "public support" numbers generally track near 90 percent and higher when we survey nationally. Your constituents support this effort.

We do sometimes hear criticism that GDL isn't consistent with the needs and wants of rural communities. Although I don't have Pennsylvania specific data, earlier at this conference we heard about surveying by AAA Kansas and Wichita State University that showed support for GDL was unchanged in both metropolitan and rural parts of Kansas. Pennsylvania has some rural communities, but it's nothing compared to the distances involved in rural Kansas. Yet when asked, parents and teens in Kansas – a rural state with a legislature that's as conservative as they come – all supported night limits, passenger limits, and other components of GDL. Surveying in Pennsylvania would likely show the same.

Thank you for your continued interest in and support for improving teen driver safety. Passing a passenger limit is the next, needed step for the people of Pennsylvania – for teens, their families, and all of us who travel the state's roadways.

#### PRIMARY SEAT BELT TESTIMONY

My fellow panelists' testimony has given ample treatment to the safety benefits of seat belt use and the experience nationwide. I want to place emphasis on two points.

The seat belt is the single greatest safety intervention we have today in traffic safety and, arguably, in public health. They've proven effective in the laboratory and in the field for decades. There's no cost needed to deploy them – they're already in our vehicles. They're simple. They're non-intrusive, taking just a couple seconds to use. And most people are already using them. The legal question of requiring their use has already been addressed in the states. The remaining step is for states to allow full enforcement of these laws.

The other issue I'd like to touch briefly is racial profiling. Prior to my work at AAA, I spent six years as a police officer in an inner suburb of Washington, DC. We engaged our immigrant and other minority communities in discussions about race, enforcement, and justice. Racial profiling is not about the enforcement status of your seat belt law. It's about your police. A bad actor in law enforcement already has dozens of pages of traffic code that he can use to make bad traffic stops. If you have concerns about racial profiling issues with law enforcement, address them directly. Don't deprive the good men and women of law enforcement and traffic safety of a key tool that has been shown to save lives in the very same minority communities whose rights we're working to protect.

Thank you for your time.

## TESTIMONY OF MARLENE CASE

I would like to start by thanking everyone for listening to what we would like to say today. Also, we want to thank our family, friends, and the Pottsgrove High School Community for helping us to deal with Andrew's untimely death and for being there for us throughout this awful tragedy. We are forever indebted to them.

When Curtis and I got married we wanted to have children more than anything. We were blessed with having Sarah, Andrew, and Jimmy who are most precious to us. Over the past 20 years we have had the joy of loving, raising, and protecting our children. Our goals are for them to be happy, healthy, educated, have nice careers, and eventually have families of their own. We wanted our children to receive a Catholic education therefore they all attended St. Aloysius grade school. Sarah graduated from St. Pius X High School and is now a student at Penn State. Andrew and Jimmy wanted to go to Pottsgrove High School mostly so they could be more involved with the sports programs. We are also pleased with the curriculum there. Along with sports we always tried to keep them involved with activities. Along with all of these things we both had a lot of fun laughing and joking around with Sarah, Andrew, and Jimmy as they did with each other!!!! Working towards our goals we never imagined that a tragedy of this nature would ever be a part of our life. What happened to Andrew has completely devastated Sarah, Jimmy, Curtis, myself, Curtis's family, and my family, leaving our entire family changed forever. The pain is excruciating for us all as it is for Michael's family and friends. We cannot think of words to adequately describe the depths to which we miss Andrew. It is still almost impossible to believe he is gone. Andrew was a very caring person and wanted to be friends with everyone. He never worried about anything!! He was very talented with lacrosse and other sports such as swimming, baseball, football, and snow boarding. He even played the saxophone and took art classes.

We realize that what happened on November 23 was an accident but given the fact that Andrew and Michael died under circumstances that could have been prevented is extremely devastating. The original plan that night was for all the boys to be taking 2 cars to the movies. But instead all 6 boys got into Austin's SUV and later learning from the police report that he got behind the wheel under the influence, driving recklessly, and driving without proper car insurance. Also prior to the accident we learned that Austin's mother had driven Andrew, Michael, and other children including her own without a valid Pennsylvania driver's license which is appalling. If we were aware of these things before we would have never permitted Andrew to travel under such unsafe circumstances. It is disappointing to know that a parent who is a role model for her children can be so irresponsible to allow her 16 yr old son and herself to take such chances at jeopardizing not only her own children but others as well. This shows a total lack of respect and well being for everyone living in the community and for people who follow the rules.

Whenever our children are out with their friends my husband and I keep in touch with them every few hours to make sure they are ok. I had spoken to Andrew at 8:37 that night. The accident happened at 8:49 which we were not aware of. At 10:30 when he was not home I called him several times and there was no answer. Jimmy started calling the other boys that Andrew was with also. Nobody was answering their phones. My husband drove to the boys houses in hopes of finding them. We were all so worried about him that we started calling hospitals and then finally after calling 911 we were told to go to Phoenixville Hospital. Words cannot describe what we learned at that time.

Austin, we heard you apologize to all of the families during the last court hearing and we all hope that you feel compelled to rectify this terrible tragedy by possibly speaking to teenagers about the ramifications of careless and irresponsible behavior while driving. We would be very thankful to you for this.

Everyone misses Andrew and Michael terribly and we will continue to pray for them for the rest of our lives. We also hope and pray that Austin, Dylan, Garrett, and Kyle have learned from this tragedy to prevent this from happening in the future and will be able to live productive and happy lives. Curtis and I will try our best to continue to teach Sarah and Jimmy to be good, responsible, and hard working citizens. We will continue to provide them with a meaningful life so they can continue to meet their endeavors.

Marlene and Curtis Case