




Distracted and Careless Driving

 NATIONAL CONFERENCE of STATE LEGISLATURES
The Forum for America's Ideas


Anne Teigen
April 20, 2011
House Committee on Transportation
The General Assembly of Pennsylvania



 NATIONAL CONFERENCE of STATE LEGISLATURES
The Forum for America's Ideas

National Conference of State Legislatures (NCSL)

- Non-profit, bi-partisan organization.
- Members are all 50 state legislatures, 7,400 legislators and 30,000 legislative staff in 50 states, D.C. and U.S. territories.
- Offices in Denver and D.C.
- Among our goals - To provide legislatures with information and research about policy issues, both state and federal.
- NCSL tracks state policy developments in all public policy areas.

 NATIONAL CONFERENCE of STATE LEGISLATURES
The Forum for America's Ideas

Presentation Outline

- Driving While Distracted: The Research
- Distracted Driving Laws Overview
- Research and Data on Effectiveness
- Bills and laws similar to PA house bill 896

NATIONAL CONFERENCE OF STATE LEGISLATURES
The Forum for America's Ideas

Distracted Driving Research

- Distracted driving can include eating, reading maps, using radio or mp3 players, using navigation system, etc.
- There are three main types of distraction:
 - Visual — taking your eyes off the road
 - Manual — taking your hands off the wheel
 - Cognitive — taking your mind off what you're doing

NATIONAL CONFERENCE OF STATE LEGISLATURES
The Forum for America's Ideas

Distracted Driving Research

- Over 350 studies since 2000 related to effects of cell phone use while driving
 - Labs
 - Simulators
 - Naturalistic studies
- The studies have researched how many people drive while using cell phones and how it affects driving.

NATIONAL CONFERENCE OF STATE LEGISLATURES
The Forum for America's Ideas

Distracted Driving Research

Virginia Tech Transportation Institute 2009
Naturalistic study

Light Vehicle/Cars	Risk of Crash or near crash event
Dialing Cell Phone	2.8 times as high as non-distracted driving
Talking/Listening to Cell Phone	1.3 times as high as non-distracted driving
Reaching for object (i.e. electronic device and other)	1.4 times as high as non-distracted driving

Source: Virginia Tech Transportation Institute 2009

NATIONAL CONFERENCE OF STATE LEGISLATURES
The Forum for America's Ideas


Research: Hand-held Phone Use

- Carnegie Mellon University in 2008
 - Brain imaging study showed that just listening to a cell phone caused drivers to lose 37 percent of the amount of brain activity associated with driving.
- IIHS from 2005
 - Drivers using phones are 4 times as likely to get into crashes serious enough to injure themselves--regardless if they are using hands free or a handheld device.

NATIONAL CONFERENCE OF STATE LEGISLATURES
The Forum for America's Ideas

Research: Texting While Driving

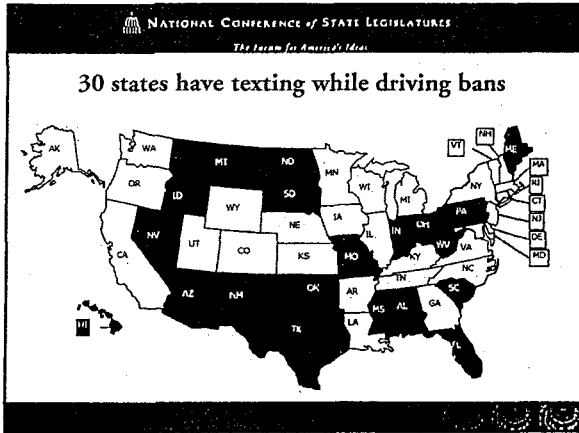
- Virginia Tech Transportation Institute research showed that drivers (of trucks) who text messaged while driving had over 20 times the risk of crash or near crash than a driver who was not using a phone.
- A study published in the September 2010 *American Journal of Public Health* reports texting while driving likely caused more than 16,000 road fatalities between 2002 and 2007.



NATIONAL CONFERENCE OF STATE LEGISLATURES
The Forum for America's Ideas

Summary of State Laws

- No state completely bans all phones for all drivers.
- California, Connecticut, Delaware, Maryland, New York, New Jersey, Oregon, Washington and D.C. prohibit driver use of hand-held phones.
- The use of all cell phones by teen drivers is prohibited in 28 states and D.C.
- The use of all cell phones while driving a school bus is prohibited in 19 states and D.C. School bus drivers are banned from text messaging in 3 states (Mississippi, Oklahoma, and Texas).



NATIONAL CONFERENCE of STATE LEGISLATURES
The Forum for America's Ideas


Effectiveness of State Laws

- NY became the first state to implement a ban on hand-held cell-phone use for drivers, and driver phone use immediately declined by an estimated 47 percent. DC passed a ban in 2004, and driver cell-phone use dropped 41 percent.
- IIHS followed up 5 years later and found handheld phone use in DC edged up a little from the immediate drop, but stayed relatively low. In NY, use went back up almost to previous levels.

NATIONAL CONFERENCE of STATE LEGISLATURES
The Forum for America's Ideas


Effectiveness of State Laws

- In 2010, the Insurance Institute released a study that concluded neither texting bans nor bans on hand-held phone use have reduced crash risk. But they cite noncompliance as a likely reason the bans aren't reducing crashes.
- Governor's Highway Safety Association advocates for laws, education of the public and enforcement of laws.
- A recent distracted driving demonstration project sponsored by NHTSA showed advertising with slogans, and increased enforcement did show decrease in use in CT and NY.


NATIONAL CONFERENCE OF STATE LEGISLATURES
The Forum for America's Ideas

2011: What's happening right now

- 143 bills introduced in 33 states related to distracted driving in 2011.
- 14 states introduced a texting ban in 2011. FL, HI, ID, IN, MO, MS, MT, NM, NV, OH, PA, SC, TX, WV.
- 12 states have introduced hand-held bans. AK, AZ, FL, IA, ID, IN, MN, MS, NV, OH, TX, VA.



NATIONAL CONFERENCE OF STATE LEGISLATURES
The Forum for America's Ideas

Utah

- U.C.A. 1953 § 41-6a-1715
- A person operating a motor vehicle is guilty of careless driving if the person commits a moving traffic violation (other than a speeding), while being distracted by one or more activities taking place within the vehicle that are not related to the operation of a motor vehicle, including:
 - using a wireless telephone or other electronic device unless the person is using hands-free talking and listening features while operating the motor vehicle;
 - searching for an item in the vehicle; or
 - attending to personal hygiene or grooming.

A violation of this section is a class C misdemeanor.




NATIONAL CONFERENCE OF STATE LEGISLATURES
The Forum for America's Ideas

Maine

- 29-A.M.R.S.A. § 2118

A person commits the traffic infraction of failure to maintain control of a motor vehicle if the person:

- Commits traffic infraction under this and, at the time the traffic infraction or crime occurred, the person was engaged in the operation of a motor vehicle while distracted; or
- Is determined to have been the operator of a motor vehicle that was involved in a reportable accident, that resulted in property damage and, at the time the reportable accident occurred, the person was engaged in the operation of a motor vehicle while distracted.
- A person may be issued a citation or summons for any other traffic infraction or crime that was committed by the person in relation to the person's commission of the traffic infraction of failure to maintain control of a motor vehicle.



NATIONAL CONFERENCE OF STATE LEGISLATURES
The Forum for America's Ideas

Conclusion

- Technology is moving and changing extremely fast.
- Research on the effects of technology is always a few years behind development.
- Research so far, indicates that distractions do affect one's ability to drive safely.
- The extent of those affects and how to curb them are issues every state, and the federal government is looking at.

NATIONAL CONFERENCE OF STATE LEGISLATURES
The Forum for America's Ideas

Contact Information/Questions

Anne Teigen, JD
Transportation and Criminal Justice
National Conference of State Legislatures
Anne.teigen@ncsl.org
303-856-1652
