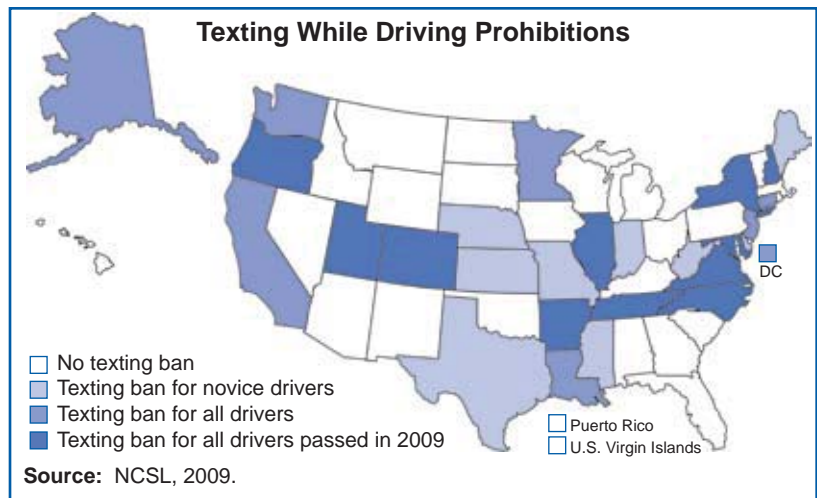


## Addressing Distracted Driving

By Melissa Savage

*Driver inattention causes nearly 80 percent of vehicle crashes.*

According to the National Highway Traffic Safety Administration, nearly 80 percent of vehicle crashes and 65 percent of near-crashes involve some form of driver inattention, often caused by tending to children in the back seat, talking with other passengers, or events happening outside the car. Talking on a cell phone and texting while driving have recently gained attention and have been the target of state legislation.



Source: NCSL, 2009.

*Only 20 states collect cell phone use information at crash scenes.*

Tracking the problem can be difficult. Only 25 states collect cell phone use information at crash scenes. The National Occupant Protection Use Survey, conducted at randomly selected intersections by the U.S. Department of Transportation, found that 1 percent of observed drivers were manipulating a hand-held device, and 6 percent of observed drivers were using hand-held cell phones.

Studies using cameras and other tracking devices in personal vehicles found that drivers who send and receive text messages while driving had more than 20 times the risk of a crash or near crash than a driver who was not using a phone. Drivers who text messaged while driving took their eyes off the road for an average of 4.6 seconds during a 6-second interval; this equates to traveling the length of a football field at 55 mph without looking at the road. Talking on a cell phone while driving slightly increased the risk of a crash or near crash, but not to the same degree as text messaging.

*No state completely bans phone use for all drivers.*

**State Action** State distracted driving laws frequently are mislabeled as prohibitions on cell phones in the car. In fact, no state completely bans all phones for all drivers. Instead, state legislation usually addresses a range of issues, including particular wireless technologies and specific

drivers. California, Connecticut, New York, New Jersey, Oregon, Washington and the District of Columbia prohibit all drivers from using hand-held phones. Other states have targeted only school bus drivers and teens. In 17 states and the District of Columbia, school bus drivers cannot use a cell phone while operating a bus; in 21 states and the District of Columbia, new drivers cannot use a cell phone while driving.

Since 2000, legislatures in every state, the District of Columbia and Puerto Rico have considered bills related to distracted driving or, more specifically, to driver cell phone use. In 2009, legislators in 46 states considered 198 driver distraction bills. Maine's 2009 distracted driving law covers all types of distraction, not just cell phone use. The law defines "operation of a motor vehicle while distracted" as non-vehicle-operation activity by drivers; if they cannot safely operate the vehicle, they are violating the law.

The most common driver distraction measure—prohibiting texting while driving—was debated in 27 legislatures in 2009. As of September, 18 states and the District of Columbia outlaw text messaging while driving for all drivers. Eleven of those states passed laws in 2009.

**Federal Action** U.S. Transportation Secretary Ray LaHood convened a September 2009 summit to address the dangers of text messaging and other distractions behind the wheel. The summit, organized by the U.S. Department of Transportation's Research and Innovative Technology Administration, convened senior transportation officials; elected officials, including state legislators; safety advocates; law enforcement personnel; and academics to discuss how to combat distracted driving.

President Obama recently released Executive Order 13513, which prohibits federal employees from text messaging while driving vehicles owned, leased or rented by the federal government or privately owned vehicles on official government business. The order also prohibits federal employees from using federal government-supplied electronic equipment while driving. The Department of Transportation will propose three separate rulemakings to: 1) ban the use of cell phones and other electronic devices by rail operators; 2) restrict cell phone use and ban text messaging by truck and interstate bus operators; and 3) revoke the commercial driver's licenses of school bus drivers convicted of texting while driving.

Congress also is considering a federal ban on texting while driving. Legislation introduced in both the U.S. House and Senate (H.R. 3535, S. 1536) would authorize withholding 25 percent of a state's highway funds if it fails to enact a law by a certain date to prohibit text messaging while driving. If passed, the federal legislation—Avoiding Life-Endangering and Reckless Texting by Drivers Act" (ALERT Drivers Act)—could authorize withholding a possible total of \$4.4 billion from the states and the District of Columbia, based on 2009 apportionments.

A second bill (S. 1938) introduced in the U.S. Senate would create a new grant program to encourage states to enact legislation that bans texting while driving, requires drivers using a cell phone to use a hands-free device, and prohibits drivers under age 18 from using any cell phone while driving. The grant program would be funded by redirecting unused surpluses from the existing federal grant program to states for encouraging enactment of a primary seat belt law.

### Contacts for More Information

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