

LEGISLATIVE RESEARCH REPORT

FEBRUARY 13, 2009



REPORT NUMBER 09.141

CELLULAR PHONE USE BY TEEN DRIVERS

PREPARED FOR REPRESENTATIVE BERTA GARDNER

BY TIM SPENGLER, LEGISLATIVE ANALYST

You asked for information about states that have enacted laws prohibiting cellular (cell) phone use by teenagers while driving. Specifically, you wanted to know the effectiveness of such laws.¹

In 2003, the National Traffic Safety Board recommended that states limit or bar young drivers from using cell phones. As of January 2009, seventeen states and the District of Columbia have enacted legislation restricting novice drivers from talking on cell phones while driving.² Six states (California, Connecticut, New Jersey, New York, Utah, and Washington) ban the use of hand-held (as opposed to hands-free) cell phones by all drivers regardless of age. We include, as Attachment A, a table from the Insurance Institute for Highway Safety (IIHS) that shows states' cell phone laws (not just for teenagers), including whether states specifically ban text messaging.³ Also in Attachment A, we include a February 2009 *question and answer* sheet from the IIHS on cell phones and driving. It provides a thorough overview of the myriad issues surrounding this topic.

According to Dr. Anne McCartt, Senior Vice President of the IIHS, there has been no research on whether there are fewer accidents in jurisdictions where cell phone use by teen drivers have been banned.⁴ She explains that such research would be nearly impossible to conduct as police crash reports do not reliably report drivers' cell phone use. Additionally, police must rely on the accounts of drivers, many of whom would be unlikely to report phone use prior to a crash—especially in jurisdictions where such use is illegal.

¹ Background for this report came from numerous sources including the Insurance Institute for Highway Safety (www.iihs.org), the Highway Safety Research Center at the University of North Carolina (www.hsrb.unc.edu), the National Transportation Safety Board (www.ntsb.gov), and the National Conference of State Legislatures (www.ncsl.org).

² A "novice" driver generally means a teenage driver with less than three years driving experience. States with restrictions on cell phone use by novice drivers are California, Colorado, Connecticut, Delaware, Illinois, Maine, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Oregon, Rhode Island, Tennessee, Texas, Virginia, and West Virginia.

³ Alaska is one of the seven states that prohibit all drivers from text messaging while operating an automobile.

⁴ Anne McCartt can be reached at (703) 247-1534. All of our other sources concurred that no research has been conducted on the effectiveness of cell phone bans in limiting accidents.

The only study that has evaluated a cell phone law pertaining to teen drivers (it does not track accidents) was co-authored by Dr. McCartt. Entitled, "Short-term Effects of a Teenage Driver Cell Phone Restriction," the study was conducted jointly by the Insurance Institute for Highway Safety and the Highway Safety Research Center at the University of North Carolina. The study examined whether teens in North Carolina changed their driving habits after that state enacted a cell phone ban for drivers younger than 18. The two-part study coupled researchers' observations of teenage drivers with telephone surveys of teens and their parents. The researchers found that the legislation did not lower the use of cell phone by teen drivers. One to two months *prior* to the ban's December 2006 start, 11 percent of teen drivers were observed using cell phone as they left school while driving automobiles. Five months *after* the ban took effect, almost 12 percent of teen drivers were observed using phones.⁵ Clearly the law did not produce the intended effects. We include a copy of the study as Attachment B.

The study further found that lack of enforcement plays a significant role in the poor results observed in North Carolina. Most of the parents and teenagers surveyed for the study reported that they believed enforcement was rare or non-existent. Dr. McCartt asserts that law enforcement is supportive of legislative efforts to limit cell phone use by drivers but enforcing these laws is highly problematic. She puts it this way

Cell phone bans for teen drivers are difficult to enforce. Drivers with phones to their ears aren't hard to spot, but it's nearly impossible for police officers to see hands-free devices or correctly guess how old drivers are.

The survey also found that about only around two-thirds of all teenagers and around 40 percent of adults even knew that the law had been enacted. Perhaps better public education would have improved compliance with the law.

Arthur Goodwin, Senior Research Associate at the Highway Safety Research Center, concurs with Dr. McCartt that the North Carolina study (in which he participated) clearly shows that the state's cell phone ban was not effective.⁶ He does not believe such laws are without merit, however. Mr. Goodwin likened the situation to when seat belt laws came to the fore in the United States; it took quite a while to educate the public and for people to change their habits but eventually most did. He believes this may be the case with cell phone laws—that it will take time and continued efforts for these laws to become solidified in our national consciousness. Another aspect Mr. Goodwin stresses is the need for parents, rather than law enforcement, to be the prime enforcers of cell phone restrictions. This can be tricky, however, as parents generally *want* their sons and daughters to have cell phones with them for safety reasons, which of course allows them the opportunity to use the phones while driving. Legislating greater parental involvement is likely impossible.

While there are no data linking cell phone bans with lower accident rates, Mr. Goodwin directed us to a 2005 IIHS study from Western Australia that found drivers (not just teen drivers) who use cell phones increased their likelihood of being in a crash *fourfold*. In the study, cell phone billing

⁵ Cell phone use remained steady at about 13 percent during this time period at comparison sites in South Carolina, where teen driver cell phone use is not restricted. Interestingly, although the law was not obeyed in North Carolina, it was supported verbally by 95 percent of parents, and 74 percent of teens when they were interviewed on the telephone.

⁶ Arthur Goodwin can be reached at (919) 843-5038.

records were used to verify phone use by drivers who had been in crashes.⁷ According to Mr. Goodwin, the accident potential when driving while using a cell phone is roughly equivalent to the risk of a driver operating a vehicle under the influence of alcohol. We include the paper that examines the Australia study as Attachment C.

A 2006 report from the National Highway Traffic Safety Administration (NHTSA) found that drivers who are distracted (i.e. putting on makeup, disciplining children, eating lunch, talking on a cell phone) are three times more likely to be involved in a crash than drivers who are being attentive.⁸ According to the study, the use of cell phones was the most common distraction. Additionally, the report found that drivers between 18-20 were four times as likely to be in a crash as drivers over 35. According to Jacqueline Glassman, acting administrator of the NHTSA when the study was released,

This important research illustrates the potentially dire consequences that can occur while driving distracted or drowsy. It's crucial that drivers always be alert when on the road.

We include, as Attachment D, a bulleted summary from NHTSA that highlights the study's findings.⁹

Notwithstanding the lack of specific statistical evidence, all the experts with whom we spoke, and literature we reviewed, support states enacting laws restricting the use of cell phones while driving. While such legislation is difficult to enforce, it does send a message that the behavior is unsafe. It is clear from the Australian and NHTSA studies that restricting not just teenagers but all drivers from using cell phones while driving is likely to reduce roadway accidents.

We hope you find this information to be useful. Please let us know if you have questions or need additional information.

⁷ According to our sources, the Australian study was consistent with a 1997 study from Canada that also utilized cell phone billing records. There have been no similar studies in the United States in part because law enforcement agencies (short of a subpoena) cannot access cell phone records to verify that a driver was using his or her cell phone at the time of an accident.

⁸ The Transportation Institute at Virginia Tech University was also involved in the study.

⁹ The entire 224 page NHTSA report can be viewed at www-nrd.dot.gov/departments/nrd-13/81059/810594.html.

Science of Safe Driving Among Adolescents
Special Supplement to *Injury Prevention*
June 20, 2006

Teen Driver Facts

- Traffic crashes occur disproportionately among newly driving young adults with one in four crash fatalities in the US involving 16 to 24 year olds (FARS)[1].
- The crash fatality rate (crash fatalities/100,000 population) is highest for 16 to 17 year olds – with the first six months after licensure the most dangerous – and remains high through age 24[2].
- For the 16-to-20 age group, the crash fatality rate in 2004 was nearly twice as high as other age groups: 27deaths/100,000 population for 16 to 20 year olds, as compared with 15 for 25 to 34 year olds and 11 for those 55 to 64 and 18 for those 74 years and older[3].
- Approximately two-thirds (63 percent) of teen (13 to 19 year olds) passenger deaths occur when other teenagers are driving. Child passengers (under age 16 years) driven by teenaged (16 to 19 year olds) drivers have three times the risk of injury in a crash than children driven by adults. Overall, 9 percent of child fatalities occur with a driver under age 19[4, 5].
- US research demonstrates that the “overwhelming majority” of crashes involving teen drivers were due to failure to employ safe operating practices and failure to recognize the inherent risk rather than “thrill seeking” or deliberate risk-taking[6].

-
1. NHTSA. *Traffic Safety Facts 2004 Data: Overview*. 2006 [cited 2006 May 22, 2006]; 1-12]. Available from: <http://www-nrd.nhtsa.dot.gov/pdf/nrd-30/NCSA/TSF2004/809911.pdf>.
 2. Mayhew, D.R., H.M. Simpson, and A. Pak, *Changes in collision rates among novice drivers during the first months of driving*. *Accident Analysis and Prevention*, 2003. **35**: p. 683-691.
 3. NHTSA. *Traffic Safety Facts 2004: A Compilation of Motor Vehicle Crash Data from the Fatality Analysis Reporting System and the General Estimates System*. 2006 [cited 2006 May 22, 2006]; 1-222]. Available from: <http://www-nrd.nhtsa.dot.gov/pdf/nrd-30/NCSA/TSFAnn/TSF2004.pdf>.
 4. Williams, A.F. and S.A. Ferguson, *Rationale for graduated licensing and the risks it should address*. *Injury Prevention*, 2002. **8**(Suppl II): p. ii9-ii16.
 5. (IIHS), I.I.f.H.S., *FATALITY FACTS 2004: TEENAGERS*. 2006, Insurance Institute for Highway Safety: Arlington, VA. p. 1-11.
 6. McKnight, A.J. and A.S. McKnight, *Young novice drivers: careless or clueless?* *Accident Analysis and Prevention*, 2003. **35**: p. 921-925.

Number of Crashes Involving Cell Phone Use, By Age of Driver Using Cell Phone, Alaska 2002-2006

Age of Driver using Cell Phone	2002	2003	2004	2005	2006	TOTAL
under 10						0
10-15			1			1
16-20	17	20	22	24	16	99
21-25	8	9	8	6	12	43
26-30	7	5	6	8	5	31
31-35	9	7	6	6	2	30
36-40	7	3	6	3	7	26
41-45	4	6	3	6	4	23
46-50	3	7	6	5	1	22
51-55		1	1	1		3
56-60	1		2	1		4
61-65		1		1		2
66-70	1			1		2
71-75	1					1
76-80						0
81+					1	1
Unknown	1					1
TOTAL	59	59	61	62	48	289

Source: State of Alaska, DOT&PF, Highway Analysis System, Data Port

Number of Crashes Involving Cell phone Use, Alaska 2002-2006

	Property Damage Only	Minor Injury	Major Injury	Fatal	TOTAL
2002	38	16	5	0	59
2003	34	24	1	0	59
2004	33	22	6	0	61
2005	38	21	3	0	62
2006	24	21	3	0	48
TOTAL	167	104	18	0	289

Source: State of Alaska, DOT&PF, Highway Analysis System, Data Port

Number of Occupant Injuries in Crashes Involving Cell Phone Use, Alaska 2002-2006

	No Injuries	Minor Injury	Major Injury	Fatalities	TOTAL
2002	132	30	6	0	168
2003	140	39	1	0	180
2004	121	32	6	0	159
2005	109	32	3	0	144
2006	94	38	3	0	135
TOTAL	596	171	19	0	786

Source: State of Alaska, DOT&PF, Highway Analysis System, Data Port

PDSR144P
DATE: 02/15/08

VALID LICENSED DRIVERS AS OF
FEBRUARY 15, 2008

CLASS	AGE	FEMALE	MALE	UNKNOWN	TOTAL
-------	-----	--------	------	---------	-------

D					
	14				
	15		1		1
	16	1,377	1,508		2,885
	17	2,665	2,746		5,411
	18	3,303	3,727		7,030
	19	3,883	4,340		8,223
	20	4,250	4,641		8,891
	21	4,325	4,728		9,053
	22	4,821	4,843		9,664
	23	4,733	4,889		9,623
	24	5,031	5,087	1	10,118
	25 - 29	23,906	22,977	4	46,887
	30 - 34	21,153	18,428	1	39,582
	35 - 39	21,512	18,513	2	40,027
	40 - 44	21,744	17,974		39,658
	45 - 49	24,466	19,512	2	43,980
	50 - 54	23,875	18,830	3	42,708
	55 - 59	19,329	16,979		36,308
	60 - 64	13,141	12,747		25,888
	65 - 69	8,131	8,265		16,396
	70 - 74	4,890	5,285		10,175
	75 +	6,281	7,036		13,317
SUB TOTALS:		222,816	202,996	13	425,825

D/M1	AGE	FEMALE	MALE	UNKNOWN	TOTAL
------	-----	--------	------	---------	-------

	14				
	15				
	16	4	11		15
	17	6	30		36
	18	18	59		77
	19	28	85		113
	20	21	131		152
	21	47	162		209
	22	56	241		297
	23	55	270		326
	24	69	337	1	406
	25 - 29	398	1,986		2,384
	30 - 34	476	2,279	1	2,756
	35 - 39	577	2,782		3,359
	40 - 44	700	3,257		3,957
	45 - 49	898	3,705		4,603
	50 - 54	951	3,940		4,891
	55 - 59	571	3,119		3,690
	60 - 64	282	1,896		2,178
	65 - 69	107	930		1,037
	70 - 74	44	443		487
	75 +	50	308		358
SUB TOTALS:		5,358	25,971	2	31,331



CELL PHONES AND HIGHWAY SAFETY



NATIONAL
CONFERENCE
of
STATE
LEGISLATURES

2006 State Legislative Update

By Matt Sundeen

March 2007

In 2006, cell phones in motor vehicles continued to be a significant traffic safety concern for state legislatures. However, although phones in cars grabbed the most headlines, many state lawmakers now have broadened the topic to include a wider variety of driver distractions and potential regulations. This report provides information about cell phones and driving and the larger driver distraction debate. It examines the latest statistics and studies, details relevant laws and legislative activity, and analyzes the most critical issues.

Driver Distraction and Cell Phones

Most experts agree that distracted driving is a substantial problem. According to the National Highway Traffic Safety Administration (NHTSA), in 2005, 43,443 people died and approximately 2.7 million people were injured in an estimated 6.16 million police-reported motor vehicle traffic crashes.¹ NHTSA estimates that each year, motor vehicle crashes cost Americans approximately \$230 billion in economic damages.² Driver inattention is a leading factor in these crashes. A 2006 study published by NHTSA and the Virginia Tech Transportation Institute (VTTI) estimated that nearly 80 percent of crashes and 65 percent of near crashes involve some form of driver inattention.³ As a percentage of national statistics, the NHTSA and VTTI estimate would mean that driver inattention causes as many as 4.9 million crashes, 34,000 fatalities and 2.1 million injuries each year and as much as \$184 billion in economic damage.

Although many agree that driver awareness—or lack thereof—is a significant concern, there is little agreement over which distractions pose the most significant threat or what should be done about them. Driver distraction has been a potential problem since cars were invented. A virtually limitless number of events, activities and objects, both inside and outside the motor vehicle, can divert a driver from his or her primary task—the safe operation of the vehicle. A January 2007 survey by Nationwide Mutual Insurance found that 31 percent of respondents admitted they daydream while driving; 19 percent acknowledge that they fix their hair, text or instant message; 14 percent comfort or discipline children; and 8 percent drive with a pet in their lap. Surveyed drivers also confessed to changing seats with passengers, reading books, watching movies, writing grocery lists, nursing babies, putting in contact lenses, painting toenails, urinating out the car window, changing shoes and shaving while driving.

Recent interest in driver focus seems to stem almost exclusively from the introduction of cell phones into the driving environment. Two decades ago, cell phones were a novelty item in cars and a non-factor in traffic safety. Less than 900,000 people in the United States subscribed to wireless services, few people lugged around the pricey, shoebox-sized devices, and few traffic safety experts mentioned driver distraction as a safety concern.

Much has changed in 20 years. According to the wireless industry association, CTIA, the number of wireless subscribers in the United States has grown to more than 230 million.⁴ Recent studies confirm something most of us already know—many people are using their phones in the driving environment, and their popularity in the car continues to grow. A December 2005 NHTSA observational survey estimated that, at any given daylight moment, approximately 10 percent of U.S. drivers are using some type of phone, whether hand-



Cell phone use by younger drivers also continues to be a popular target for state legislators. Lawmakers in 13 states—Colorado, Connecticut, Delaware, Illinois, Maine, Maryland, Minnesota, New Jersey, North Carolina, Rhode Island, Tennessee, Texas and West Virginia—and the District of Columbia currently prohibit or restrict novice driver cell phone use. All current novice driver laws prohibit young drivers—those under age 18 or 21—who only hold a learner's or instructional driving permit from using any type of wireless device while operating a motor vehicle, except in emergency situations. In 2006, legislators in 28 states considered similar proposals, with new laws passing in Minnesota, North Carolina, Rhode Island and West Virginia. Although most of the 2006 bills linked novice driver restrictions to a learner's permit or intermediate license, several bills would have prohibited all teen drivers, regardless of license status, from using wireless devices.

Eleven states—Arizona, Arkansas, California, Connecticut, Delaware, Illinois, Massachusetts, New Jersey, Rhode Island, Tennessee and Texas—and the District of Columbia prohibit school bus drivers from using phones while operating a school bus. Legislators in five states proposed school bus driver phone restrictions in 2004, while legislatures in seven states considered such measures in 2005.

State legislatures also are taking an active role in improving the collection of data and information about the involvement of cell phones and other wireless devices in crashes. At least 27 states and the District of Columbia now require some or all law enforcement officers to collect information about cell phone involvement in crashes, up from just two states in 1998 (see table 1). In many states, such data collection is required by statute. In addition, legislatures or individual legislators in at least nine states—California, Delaware, Louisiana, Minnesota, New Jersey, New York, Pennsylvania, Virginia and Wisconsin—approved or asked for studies about the effects of wireless phones on traffic safety in their jurisdictions. The Pennsylvania General Assembly's Joint State Government Commission published a report on driver distraction and public safety in December 2001,²¹ and a special legislative task force in Delaware published a report on driver distractions in 2003.²² Washington passed a bill in 2005 that requires state police to track in accident report forms information about the involvement of wireless communication devices in motor vehicle crashes. The measure also requires the state police to include this information in its annual report of traffic safety statistics.

States also are moving to assert authority over the distracted driving issue. Legislatures in 10 states have moved to restrict local cell phone laws. Florida, Kentucky, Louisiana, Mississippi, Nevada, New Jersey, New York, Oklahoma, Oregon and Utah preempt local jurisdictions from restricting cell phone use while driving. This move was significant in Florida, where several local communities, including Miami-Dade County, had prohibited the use of hand-held phones while driving. Utah's law, enacted in 2006, pre-empted a prohibition on hand-held phones in Sandy, Utah.

Four other states—California, Florida, Illinois and Massachusetts—have enacted measures related to cell phone use while driving. California requires that rental cars with embedded cell phone equipment provide written instructions on the safe use of the cell phone. Florida and Illinois require that drivers who use headsets with their phones can use only a headset that blocks sound to one ear. Massachusetts generally allows cell phone use, provided the driver keeps at least one hand on the steering wheel at all times. Other states have considered legislation to increase driver negligence for being involved in a crash while using a cell phone; however, no state has passed such a proposal.

An emerging trend in legislation is to address multiple behaviors—not only cell phone use—on the road. Washington, D.C., prohibits several potential distracted driver behaviors, including reading, writing, personal grooming, interacting with pets or unsecured cargo, using personal communications technologies, or engaging in other activities that cause distractions. Connecticut's cell phone law, enacted in June 2005, includes a broad distraction provision that prohibits drivers from engaging in any activity not related to the actual operation of a motor vehicle in a manner that interferes with the safe operation of such vehicle on any highway. Seven other states considered broad distraction bills in 2006.

Other state legislatures have examined driver use of televisions and DVD players (see appendix B). At least 38 states restrict or prohibit televisions in motor vehicles. California and Louisiana restrict the placement of DVD players and similar entertainment devices to locations out of the vision of the driver. Illinois prohibits any visual media technology, other than a navigational system, to be located at points forward of the driver's seat. Tennessee and Virginia forbid the display of

pornographic videos in cars. In addition, Virginia prohibits the display of a video or motion picture in front of the driver's seat or within view of the driver. Legislatures in 14 states in 2006 considered legislation related to the use of televisions, DVD players or videos in cars.

Federal Action

As of February, 2007 the federal government had not acted on the distracted driving issue. Legislation considered by Congress in 2003 and 2001 failed to make it out of committee. Several federal agencies have studied the effects of wireless phones on traffic safety. In June 2003, the National Transportation Safety Board (NTSB) issued a report about a 2002 crash in Maryland that involved a young driver who was using a cell phone. According to the NTSB analysis, the crash involved multiple risk factors, and the NTSB could not determine the exact extent of the role of distraction due to wireless phone use. However, NTSB concluded that, "... current State laws are inadequate to protect young, novice drivers from distractions that can lead to accidents."²³ The NTSB recommended that the states that do not have restrictions for young drivers enact legislation to prohibit holders of learner's permits and intermediate licenses from using interactive wireless communication devices while driving.

In the same report, NTSB recommended improvements in driver education. The NTSB concluded that the public may not be aware of the risks associated with using the wireless phone while driving. NTSB urged that, "... all drivers should be educated about the risks of distracted driving, including the cognitive demands associated with use of interactive communication devices."²⁴ NTSB also urged states to improve data collection by including codes for interactive wireless communications devices on their traffic accident investigation forms.

NHTSA has long studied driver distraction and traffic safety but has not issued any regulations to address the topic. In 1997, NHTSA published a report—*An Investigation of the Safety Implications of Wireless Communications in Vehicles*—that summarized driver distraction research. In 2000, NHTSA conducted a driver distraction online forum and accepted public comments on driver distraction issues. NHTSA also has published several observational surveys in an attempt to document driver cell phone use.

A policy statement regarding cellular phone use while driving, posted on NHTSA's website, warned drivers of potential cell phone risks. According to the statement, "... 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."²⁵

Several federal agencies, national organizations, and state and local government agencies also have worked to improve data collection. In June 2003, the national Governors' Highway Safety Association released a revised edition of the Model Minimum Uniform Crash Criteria (MMUCC), which included changes intended to help gauge the effects of driver distractions. The criteria, which were developed in collaboration with NHTSA, the Federal Highway Administration, the Federal Motor Carrier Safety Administration, and numerous state and local agencies, describe what kinds of information states need to collect at crash scenes. The changes to the MMUCC are intended to help policymakers paint a more accurate picture of the role of cell phones and other distractions in motor vehicle crashes.

Local Action

Many counties, cities, towns and municipalities across the United States have considered restrictions on cell phone use while driving. The largest community—Chicago, Illinois—prohibits motorists from using hand-held phones while driving. More than two dozen local jurisdictions—in Florida, Illinois, Massachusetts, Michigan, New Jersey, New Mexico, New York, Ohio, Pennsylvania and Utah—have enacted similar restrictions. Local jurisdictions that have passed ordinances include: •

USA states breakdown

State	Banned?	Notes
Alabama	No	
Alaska	No	
Arkansas	Partial	School bus drivers are banned from using a cell phone.
Arizona	Partial	A bill to introduce a ban was lost by a 4-3 vote in the Senate Transportation Committee. Bus drivers are banned from using a cell phone
California	Yes	Beginning July 1, 2008, violators face a US\$20 fine for a first offense and a US\$50 ticket for subsequent infractions. Law passed Sept 2007 bans all under-18s from using a phone at all, even with handsfree kit. Text messaging while driving (inc emails) banned with effect from Jan 1st 2009.
Colorado	No	Teens with restricted licenses are banned - but can only be stopped for another violation first
Connecticut	Yes	Banned with effect from Oct. 2005 - teens are also forbidden from using handsfree kits while moving
Delaware	No	A driver can already be prosecuted for "inattentive driving" - which can include using a cell phone. Studies into the issue have been requested
District of Columbia	Yes	Banned from July 2004
Florida	Partial	State Attorney General said that cities can set local regulations - July 2001. Overturned by Governor Bush..
Georgia	Partial	School bus drivers banned from using cell phones while driving. DeKalb County has fines when crashes can be attributed to driving while using a cellphone.
Hawaii	Being debated	A bill has been introduced in Hawaii's legislature by Sen. Joseph Souki, D-Wailuku-Waiehu.
Idaho	No	
Illinois	Partial	School bus drivers are banned - Chicago and Gary City Council have passed local laws banning driving without a hands-free kit.
Indiana	No	Ban proposed by State Sen. Rose Antich Carr - Jan 2004
Iowa	Being debated	
Kansas	No	Bill to introduce ban failed in 2000

Kentucky	No	
Louisiana	Partial	Teenagers and new drivers are banned - all drivers banned from text messaging only.
Maine	Partial	Minors and those on learner driving licenses may not use a cell phone while driving
Maryland	No	Bill to ban dropped Feb. 2001. New proposal in the House, proposed by Delegates Arnick and Mandel
Massachusetts	Partial	Bill for most users pending - but bus drivers already banned. Drivers required to keep at least one hand on the steering wheel while holding a phone.
Michigan	No	
Minnesota	Partial	Teenagers and provisional drivers are banned - \$100 fine plus delays in license upgrades for offenders
Mississippi	No	Legislation prevents local councils enacting their own ban.
Missouri	No	
Montana	No	
Nebraska	No	Bill planned by State Sen. Jim Cudaback - Jan 2004
Nevada	No	State bill to introduce ban failed April 1999. Local bill in Clark County also blocked Nov. 2001. Nevada state passed bill banning local regulations, March 2003.
New Hampshire	Partial	Not explicitly banned, but you can be prosecuted if using a cellphone when involved in an driving accident.
New Jersey	Yes	Banned from 2004, updated from March 2008 - fine US\$100. Bill extended June 2008 to include text messaging.
New Mexico	Partial	Being debated - local ban in the cities of Santa Fe, Albuquerque, Taos, and Las Vegas
New York	Yes	Ban effective from Nov. 2001
North Carolina	Being debated	Study into the effects of cell phone usage while driving being carried out.
North Dakota	Being debated	Bill proposed by Sen. Harvey Tallackson, D-Grafton, Feb 2005
Ohio	Partial	The City of Cleveland is discussing a ban. Ban in place in Brooklyn.
Oklahoma	No	Bill to introduce ban failed in May 1999. Legislation prevents local councils enacting their own ban.
Oregon	Partial	Ban applies to teenagers only.
Pennsylvania	Partial	Local cities have their own laws - state legislation pending
Rhode Island	No	Governor Almond rejected a ban - July 2001. School buses are banned from using a cell phone. Proposal for a ban being

		debated, April 2004.
South Carolina	Partial	Bill to ban holders of a beginner's permit, conditional or special restricted driver's license passed by House committee, April 2008
South Dakota	No	
Tennessee	Partial	School buses are banned from using a cell phone
Texas	No	Senate Bill 154 proposed. If passed would come into effect from 2008. A previous attempt in 2005 failed
Utah	No	Bill to introduce ban failed March 1998. Highland city planning a ban - Feb 2005
Vermont	No	
Virginia	Partial	Bill banning minors passed Jan 2005. Bill banning 16-17yr olds with conditional licenses passed March 2007
Washington	Yes	Ban imposed, to come into effect from July 2008. Driving while sending text messages separately banned with effect from Jan 1st 2008
West Virginia	No	Bill proposed in 1999, but never debated
Wisconsin	No	Bill to introduce ban failed in April 1998. Bill to ban younger drivers only being debated.
Wyoming	No	Bill proposed by Rep. Floyd Esquibel but not debated

Q&As: Cellphones and driving

February 2009

Show all answers

1 | How many people use cellphones?

Cellphone use in the United States has grown quickly during the past decade. There were more than 262 million wireless cellphone subscribers, representing 84 percent of the US population, as of June 2008, according to the Cellular Telecommunications and Internet Association.¹ That's up 35 percent from 194 million in June 2005 and nearly three times more than the 97 million wireless subscribers in June 2000. Minutes of use have surged to more than 1 trillion in June 2008 from 195 billion in June 2000.

2 | Do drivers frequently use phones behind the wheel?

Yes, though it's hard to accurately determine just how many drivers use phones. Observational data from the federal government indicate that 6 percent of drivers in 2007 were using hand-held phones at any moment during the day. The 2007 use rate means that about 1 million passenger vehicles on the road at any moment during the day are driven by people talking on hand-held phones.²

3 | Who is most likely to talk on a cellphone while driving?

Female drivers across all age groups more frequently use hand-held cellphones than male drivers (8 percent vs. 5 percent), according to daytime observational surveys of drivers conducted nationwide in 2007. Young drivers ages 16-24 also are much more likely than other drivers to talk on hand-held cellphones. Nine percent of drivers ages 16-24 were observed talking on hand-held phones, compared with 6 percent of those ages 25-69 and 1 percent of drivers 70 and older.²

4 | Does using a cellphone while driving increase crash risk?

Yes. Two controlled studies now link talking on a cellphone directly to increased crash risk. A 2005 Institute study of drivers in Western Australia found cellphone users four times as likely to get into crashes serious enough to injure themselves.³ The study used cellphone billing records to verify phone use of crash-involved drivers. Increased risk was similar for males and females, drivers younger than 30 and those 30 and older, and hands-free and hand-held phones. The findings were consistent with 1997 research that showed phone use among Canadian drivers was associated with a fourfold increase in the risk of a property damage crash. This study also used cellphone billing records.⁴

5 | Are hands-free cellphones safer?

No, at least not after the conversation begins. Both studies of crashes using cellphone billing records to verify phone use found about a fourfold increase in crash risk with conversing on both hands-free and hand-held phones.^{3,4} The studies were unable to estimate crash risk from different types of hands-free devices. They also were unable to determine whether there was any benefit associated with hands-free devices while placing the call. Experimental research using driving simulators indicates that phone conversation tasks, whether using hand-held or hands-free devices, affect some measures of driving performance.^{5,6} Hands-free phones may eliminate some of the physical distraction of handling phones, but the cognitive distraction from phone conversations remains.

6 | How does cellphone use affect driving performance?

An Institute review of more than 120 cellphone studies, about half of which were experimental studies using driving simulators or instrumented vehicles, found that nearly all reported that some measures of driver performance were affected by the cognitive distractions associated with cellphone tasks.⁶ Phone conversation tasks typically decreased

limiting nighttime driving and the number of passengers a novice driver can carry. Cellphone bans are being added to those restrictions.

See Q&A: Teenagers — graduated driver licensing

More about the licensing law in your state, or any state

10 | Do teenagers comply with cellphone bans?

Young drivers often ignore cellphone restrictions, according to a 2008 Institute study of North Carolina's cellphone ban for young beginning drivers. The state bans the use of any telecommunications device by drivers younger than 18 under its graduated licensing system. Observed cellphone use by teenagers leaving high schools in the afternoon changed little from 1-2 months before and 5 months after the restriction took effect on Dec. 1, 2006. About 11 percent of teenage drivers were seen using phones before the law. That percentage rose slightly to 12 percent in the postlaw survey. Cellphone use remained steady at about 13 percent at comparison sites in South Carolina, which doesn't restrict teenage drivers' phone use. When observed postlaw, less than 1 percent of teenage drivers in North Carolina were using hands-free phones. About 2 percent were observed dialing or texting and about 9 percent were holding a phone to their ear.

The study coupled driver observations with telephone surveys of North Carolina parents and their teenagers. In postlaw surveys, about two-thirds of teenagers said they knew about their state's law, compared with 39 percent of parents. Three-quarters of teenagers and 95 percent of parents said they approved of the law. The proportion of teenagers who reported using phones while driving declined somewhat following the law. However, of those who owned a phone and admitted to ever talking on the phone while driving, about half admitted they used their phones, if they had driven, on the day prior to the interview. There was no evidence of focused enforcement or publicity of the law. Only 22 percent of teenagers and 13 percent of parents believed the ban was being enforced fairly often or a lot.¹⁷

11 | Is cellphone use more distracting to drivers than other tasks?

Evidence is mixed. For example, some experimental studies found that phone conversations are more disruptive than conversations with passengers or adjusting a radio.⁶ However, two statistical analyses combining the results of multiple experimental studies found similar decrements in reaction time for conversation tasks with passengers and with hand-held or hands-free phones.^{5,7} Two studies suggest that talking on cellphones or having a 0.08 percent blood alcohol concentration (BAC) — the legal threshold for impairment — has a comparable effect on some simulated driving tasks.^{18,19} However, the risks associated with alcohol impairment accumulate over the entire duration of a trip, whereas the risks of cellphone use generally apply for only a portion of a trip. In addition, crash risk increases substantially at very high BACs, and the implications of the experimental studies for drivers in their own vehicles is unknown.

12 | Is texting while driving a problem?

Over 600 billion text messages were sent in 2008. This is up nearly 4 times from the number sent in 2006, according to the Cellular Telecommunications and Internet Association.¹ Among drivers 30 and younger who own cell phones, nearly 40 percent said they send or read text messages while driving, based on the findings from a survey by Nationwide Insurance. There hasn't been a lot of research on texting and driving, but two studies of young drivers using driving simulators all found that receiving, and especially sending, text messages, led to decrements in driving behavior, particularly reaction time and lane keeping ability.^{20,21}

References

¹Cellular Telecommunications and Internet Association. 2008. CTIA's semi-annual wireless industry survey results, June 1985-June 2008. Washington, DC.

²National Highway Traffic Safety Administration, 2008. Driver electronic device use in 2007. Report no. DOT HS-810-963. Washington, DC: US Department of Transportation.

³McEvoy, S.P.; Stevenson, M.R.; McCartt, A.T.; Woodward, M.; Haworth, C.; Palamara, P.; and Cercarelli, R. 2005. Role of mobile phones in



National Highway Traffic Safety Administration
Our Mission: Save lives, prevent injuries, reduce vehicle-related crashes
www.nhtsa.gov



[Home](#)

[Traffic Safety](#)

[Vehicles/Equipment](#)

[Laws/Regulations/Guidance](#)

[NCSA](#)

[Vehicle Safety Research](#)

Search NHTSA

[Traffic Safety](#)

Browse Topics

Aggressive Driving
Bicycles
Child Passenger Safety
Click It or Ticket
Disabled Drivers & Passengers
Drowsy & Distracted Driving
Emergency Medical Services
Enforcement and Justice Services
Impaired Driving
Motorcycles
New Drivers
Occupant Protection
Older Drivers
Pedestrians
Programs/Grants
Research & Evaluation
Safe Communities
Safety Materials Catalog
School Buses
Traffic Tech Publications

Quick Clicks

[Child Safety Seats](#)
[Locate a Child Seat Fitting Station](#)
[Child Seat "Ease of Use" Ratings](#)
[File a Complaint About Your Vehicle or Child Seat](#)
[Press Room](#)
[Newest Studies and Reports](#)
[Fuel Economy](#)
[Speed-Related Information](#)
[Recalls, Defects and Complaints Databases](#)
[Teen Drivers](#)
[About NHTSA](#)
[Contact NHTSA](#)

[Print Version](#)

Teen Drivers



A Comprehensive Approach to Teen Driver Safety

NHTSA has developed a three-tiered strategy to prevent motor-vehicle-related deaths and injuries for teens: increasing seat belt use, implementing graduated driver licensing, and reducing teens' access to alcohol.



Seat Belt Use

Earned Media Materials
Creative Materials
TV/Radio Spots

Graduated Driver Licensing

GDL System
Publications
Questions & Answers

Youth Access to Alcohol

Earned Media Materials
Creative Materials
TV/Radio Spots

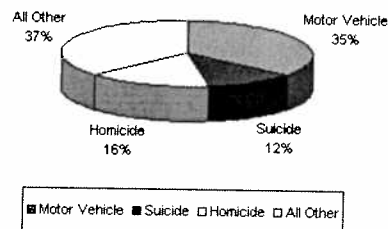
Additional Resources

National Youth
Traffic Safety Month
Priority Program Areas
Teen Safety Statistics
Studies & Reports
Glossary
Contact Us

Leading Cause of Death for Teens

The heart of the National Highway Traffic Safety Administration's (NHTSA's) mission is keeping families safe on America's roadways. Young drivers, ages 15- to 20-years old, are especially vulnerable to death and injury on our roadways – traffic crashes are the leading cause of death for teenagers in America. Mile for mile, teenagers are involved in three times as many fatal crashes as all other drivers.

Leading Causes of Death for Teens



We Know the Causes

Research shows which behaviors contribute to teen-related crashes. Inexperience and immaturity combined with speed, drinking and driving, not wearing seat belts, distracted driving (cell phone use, loud music, other teen passengers, etc.), drowsy driving, nighttime driving, and other drug use aggravate this problem.

The Objective of this Site

We've designed this site to provide you with the fundamental resources and information you'll need to help promote what research clearly shows reduces teen crashes –

- Increasing seat belt use,
- Implementing graduated driver licensing, and
- Reducing teens' access to alcohol.

We've designed the template materials so they are quick and easy to customize to promote your teen program. You'll find talking points, earned media tools, collateral materials and various other marketing materials designed to be tailored to maximize your local outreach efforts to various key audiences.

Halloween Planner



Thanksgiving Media Planner



washingtonpost.com

Va. House To Teens: 'Hang Up And Drive'

Lawmakers Pass Ban on Cellphones

By Tim Craig and Amy Gardner
Washington Post Staff Writers
Thursday, February 22, 2007; A01

RICHMOND, Feb. 21 -- The Virginia House of Delegates approved a bill Wednesday that would prohibit teenagers from using their cellphones while driving, which safety advocates say would reduce accidents.

The Senate has approved a nearly identical measure, meaning that the cellphone ban proposal is likely headed to Gov. Timothy M. Kaine (D), who is expected to sign it, aides said. If Kaine does approve the ban, Virginia will join the District, Maryland and 11 other states that bar teens from using a phone while driving.

Under the bill, drivers ages 15, 16 and 17 would not be able to talk, send text messages or snap photos with a phone while on Virginia roads. The ban would also apply to hands-free devices but would allow teens to use a phone during an emergency.

The legislation originated with lawmakers in Northern Virginia.

"We are saying, 'Hang up and drive,' " said Del. Timothy D. Hugo (R-Fairfax).

Like Virginia's seat-belt law, the teenage cellphone ban would be considered a secondary offense, so an officer could cite a teenage driver only if he or she were pulled over for another moving violation.

Even so, safety advocates said that the 86 to 10 vote in the House was a milestone in Virginia, where legislators have historically been slow to embrace new traffic safety laws.

The proposal, sponsored by Sen. James K. "Jay" O'Brien Jr. (R-Fairfax), gained momentum after a spate of fatal accidents involving teenagers on Washington area highways.

Though the accidents were not necessarily caused by teens talking on cellphones, they spurred a regionwide debate about teen driving safety. Maryland passed a series of teen driving bills two years ago. The District requires all drivers to use hands-free devices to talk on the phone. O'Brien resisted efforts in Virginia to make exceptions for teenagers using hands-free devices.

"It doesn't matter if the phone is in their hands or hands-free," O'Brien said. "The distraction for the teen is the same. They're taking their concentration off the road and giving it to a conversation during a period when they have zero driving experience."

Some teenagers were split on their opinion of the ban. Pape Diop, 17, a senior at Annandale High

School in Fairfax County who often chats on the phone while he's behind the wheel, said he thinks the ban would make him and his friends safer drivers.

"I think it's pretty reasonable, because we do have a tendency to talk on our phones a lot, and a lot of accidents happen," Diop said. "Even if I'm in the car with an adult, I see it distracts them."

But Andrew Supanich, 16, a sophomore at Stonewall Jackson High School in Prince William County, said he thinks that the ban is a bad idea but that if it does go forward, it should include adults. "It's not fair for them to take it away from teenagers when adults could be on the cellphone and could get in a car accident just as well," he said.

Supanich said he would use the phone for legitimate purposes. "If I was ever on my cellphone while driving, it wouldn't be just, 'I'm bored, and I want to talk to someone.' It would be if I was going to someone else's house and needed directions, or if my mom calls me to go to the grocery store," he said.

Several lawmakers said they were influenced by images of young drivers paying more attention to phone calls and text messages than the road. "It's a simple premise: Young people who do not have experience endanger not only themselves but other drivers," said Del. Adam P. Ebbin (D-Alexandria).

A few conservative lawmakers said they opposed the bill because parents -- not the state -- should be making rules for their children. Del. Terry G. Kilgore (R-Scott) said that there might be many items in a car that could distract a driver, such as a radio or purse. "I am the parent of a young driver, and the thing about this bill that concerns me is I can't call my daughter," he said. "There are a lot of times my wife and I would like to know where she is at."

Ebbin responded, "If parents have trouble reaching their kids, they should leave a message."

According to AAA Mid-Atlantic, which lobbied for the bill, the bans can greatly reduce the odds of a teenager being in an accident. A University of Utah study found that "young drivers who use cellphones at the wheel drive like the elderly -- with slower reaction times and an increased risk of accidents," according to AAA.

Kaine prohibits his 17-year-old son, Nat, from using a cellphone while driving. "It is the rule in the Kaine household," said Kevin Hall, spokesman for the governor. "Regardless of what he decides to do with this bill, the governor thinks this is a conversation that every parent should have with their teen driver."

Staff writers Maria Glod and Ian Shapira contributed to this report.

© 2007 The Washington Post Company

Ads by Google

LED Strobe Warning Lights

Now you can get a powerful warning lighting system at a great price.

[View our LED Strobe Warning Lights](#)

Safety vest \$9.50

find bargains on safety vest low prices and direct manufacture

[View our Safety Vest \\$9.50](#)

Safety Vest Manufacturer

High Quality, Low Prices, All Types ANSI-Lime-Orange-Reflective, More

[View our Safety Vest Manufacturer](#)