

Distracted Driving: Problems, Solutions and Opportunities

PA Safety Symposium
September 28, 2016

NHTSA
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION





Distraction: The Problem

- In 2014, 3,179 people were killed and 431,000 were injured in distracted driving crashes
- The 15-19 age group has the largest proportion of drivers who were distracted at the time of a fatal crash
- 38% percent of drivers using cell phones in fatal crashes were in their 20s (compared to 23% of drivers in all fatal crashes)
- The percentage of drivers observed using handheld devices increased from 1.7% from 2013 to 2.2% in 2014. Driver 16-24 have been observed using these devices at higher rates than other drivers
- At any given moment across US, ~660,000 drivers are using these devices



Distraction: Countermeasures

- Laws restricting the use of electronic devices
- Implementation of proven best practices to enforce texting bans
- Public awareness
- Technology



Distraction: Funding Opportunities

Special Distracted Driving Grant - FY17

- State law prohibiting texting while driving
- Up to 15% of award can be used for activities other than distracted driving

Special Distracted Driving Grant - **FY18**

- State law prohibiting texting while driving
 - **Primary enforcement, fine imposed**
- **Cell phone ban for drivers <18**
- Up to **25%** of award can be used for activities other than distracted driving



Distraction: Funding Opportunities

Comprehensive Distracted Driving Grant

- State law prohibiting texting while driving
 - **Primary enforcement**, \$25 min. fine, minimal exemptions
- **Cell phone ban for drivers <18**
- **Driver license exam must include distracted driving questions**
- Up to **50%** of award can be used for activities other than distracted driving (or 75% if MMUCC compliant)

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Connecticut's Distracted Driving Laws Changes

Jason Germain, S.A.S.A.



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- Transfers ...
- **SENIOR ASSISTANT STATE'S ATTORNEY JASON GERMAIN** transferred from Judicial District of Waterbury, to the Office of the Chief State's Attorney as **DWI Prosecutor Coordinator**, effective March 30, 2012. He succeeds **Senior Assistant State's Attorney Susan Naide**, who retired from the DWI Coordinator position on January 1, 2011.





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STEPHEN J. SEDENSKY III
State's Attorney
Danbury Judicial District



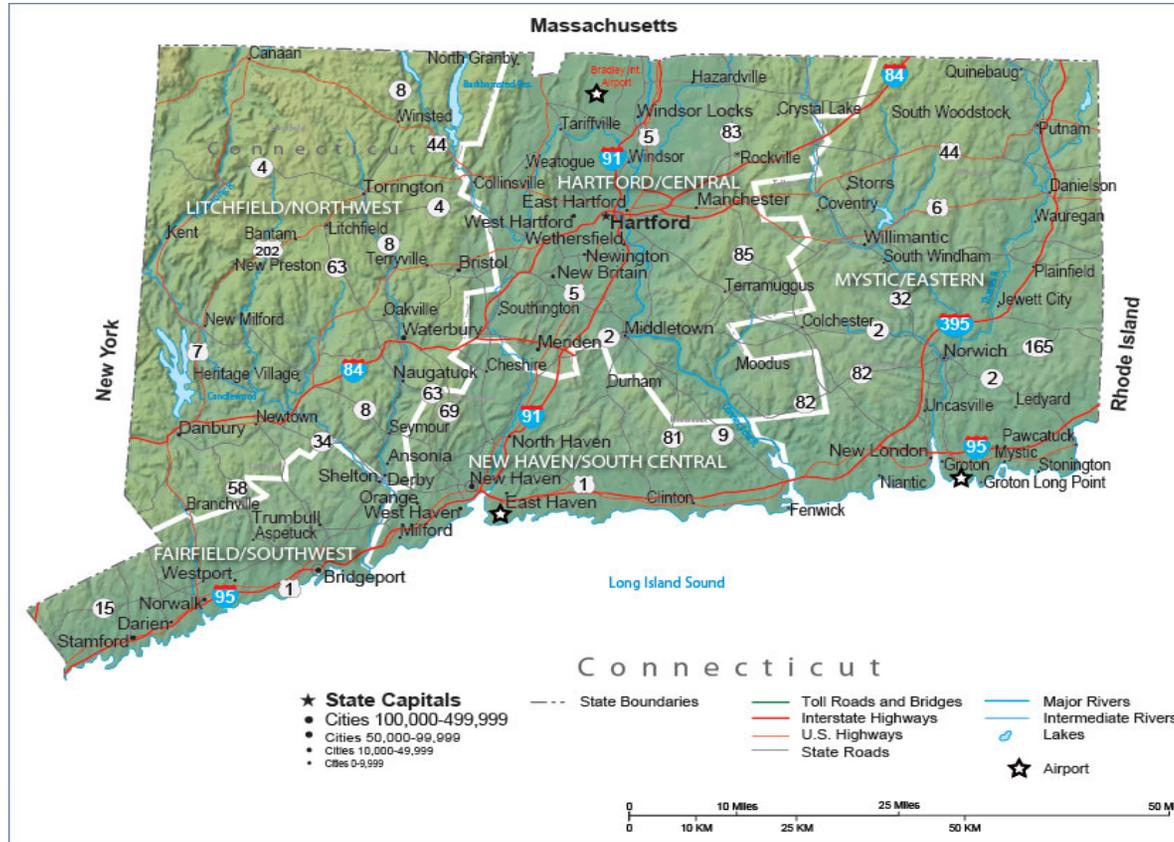
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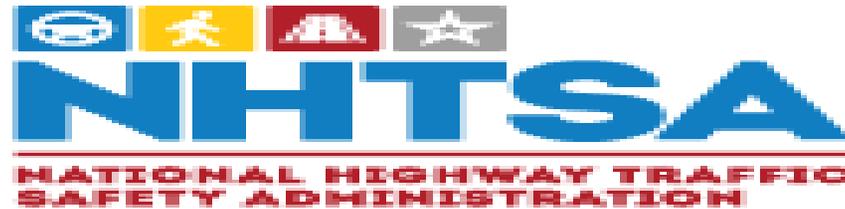
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New Federal Transportation Law § 405 E - MAP-21 NHTSA – New Distracted Driving Funding Program



Section 405 E - MAP-21 NHTSA – New Distracted Driving Funding Program



Section 405 E - MAP-21 v. (C.G.S. § 14-296aa)



Use of handheld mobile telephones and mobile electronic devices by motor vehicle operators and school bus drivers prohibited or restricted.

Exceptions. Penalties. Amounts remitted to municipality. Record of violation.



Potential Consequences For Failure to Comply With The Federal Requirements of §405E.



FEDERAL FUNDING TIED TO THE TEXTING SECTION OF THE STATUTE § 405E – FFY 2013 was \$17,525,000

1. \$11,900,00 – Distracted Driving Grants
2. \$5,600,000 – 1st Year Texting Ban Grants



The Legislation - HISTORY

(P.A. 05-159, 2005)



- 2005 – legislation passed re: use of cell phones and mobile electronic devices
- 2010 – added provision to prohibit texting
- 2010 – deleted suspension of fine for first offenders who purchase hands-free accessories
- 2010 – added subsequent offender penalties
- 2011 – added new provision re: texting and CMV drivers



(C.G.S. § 14-296aa) - 2013

- (b) (1) No person shall operate a motor vehicle upon a highway, while using a hand-held mobile telephone to engage in a call or while using a mobile electronic device while such vehicle is in motion. An operator of a motor vehicle who types, sends or reads a text message with a hand-held mobile telephone or mobile electronic device **while such vehicle is in motion** shall be in violation of this section.



Prohibiting text-based communications PA § 3316.

- **(a) Prohibition.**--No driver shall operate a motor vehicle on a highway or traffic way in this Commonwealth while using an interactive wireless communications device to send, read or write a text-based communication **while the vehicle is in motion**. A person does not send, read or write a text-based communication when the person reads, selects or enters a telephone number or name in an interactive wireless communications device for the purpose of activating or deactivating a voice communication or a telephone call.



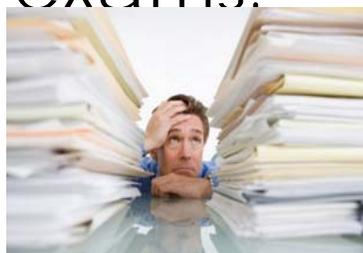
ANY SIMILARITIES?



Eligibility Requirements That CT Did Not Meet



- 405E required that the state mobile phone law apply even when the vehicle is at rest (ex. Stopped at a traffic light or stop sign).
- Limited Exceptions – Ham Radio Exception
- Mandated Questions pertaining to DD on driver licensing exams.



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CHANGE THE LAW?

The meaning of a statute shall, in the first instance, be ascertained from the text of the statute itself and its relationship to other statutes. If, after examining such text and considering such relationship, the meaning of such text is plain and unambiguous and does not yield absurd or unworkable results, extratextual evidence of the meaning of the statute shall not be considered.

C.G.S. § 1-2z. Plain Meaning Rule





Operating a motor vehicle:

operating on a highway, “including being temporarily stationary due to traffic, road conditions or a traffic control sign or signal,”



“but not including being parked on the side or shoulder of any highway where such vehicle is safely able to remain stationary”

The Legislation

(P.A. 05-159, 2005)



- 2005 – Legislation passed re: use of cell phones and mobile electronic devices
- 2010 – Added provision to prohibit texting
- 2010 – Deleted suspension of fine for first offenders who purchase hands-free accessories
- 2010 – Added subsequent offender penalties
- 2011 – Added new provision re: texting and CMV drivers
- 2013 – Defined “operating a motor vehicle” & deleted provision limiting violation to vehicles in motion
- 2013 - Ham radio Exception – Allows the use of hand-held radios by a person with an FCC amateur radio station license in ER situations and for ER purposes
- 2013 – Distracted driving questions added on knowledge test



There are so many rules –
so much to think about –
what's the big deal?



Potential Consequences of Failure to Comply With Federal Requirements.



FEDERAL FUNDING TIED TO THE TEXTING SECTION OF THE STATUTE



Potential Consequences For Complying With The Federal Requirements of §405E.



Distracted Driving Grants

1. 2014 - \$2,300,000
2. 2015 - \$2,300,000
3. 2016 - \$2,300,000



Connecticut was the only state to qualify for these years.



Potential Consequences For Complying With The Federal Requirements of §405E.

Use of Distracted Driving Grant Funds:

- A State may use grant funds under 23 U.S.C. 405(e) (6) for activities related to the enforcement of distracted driving laws, including public information and awareness.



Then, some statistics ...Lets do the math.

- 2015 – CT – nearly 20,000 citations for DD were issued during April (4 wks) & August (2 wks) campaigns .



Real Reason - Lets do the math...

30 mph = 120 seconds / mile

3 seconds = $1/40^{\text{th}}$ of a mile (.025)

.025 = 132 feet

132 feet = 44 yards

(50 yards is half a football field)



DD Crash – Texting

(New York Times - A crash that killed two in Missouri in 2010 - involved a pickup driver who had been sending text messages.)



DD Crash – Using iPod

(Kitsap Sun – Washington 2012 – high school student in hurry to get to school one morning, went to change a song on his iPod and ran his truck into a drainage ditch)



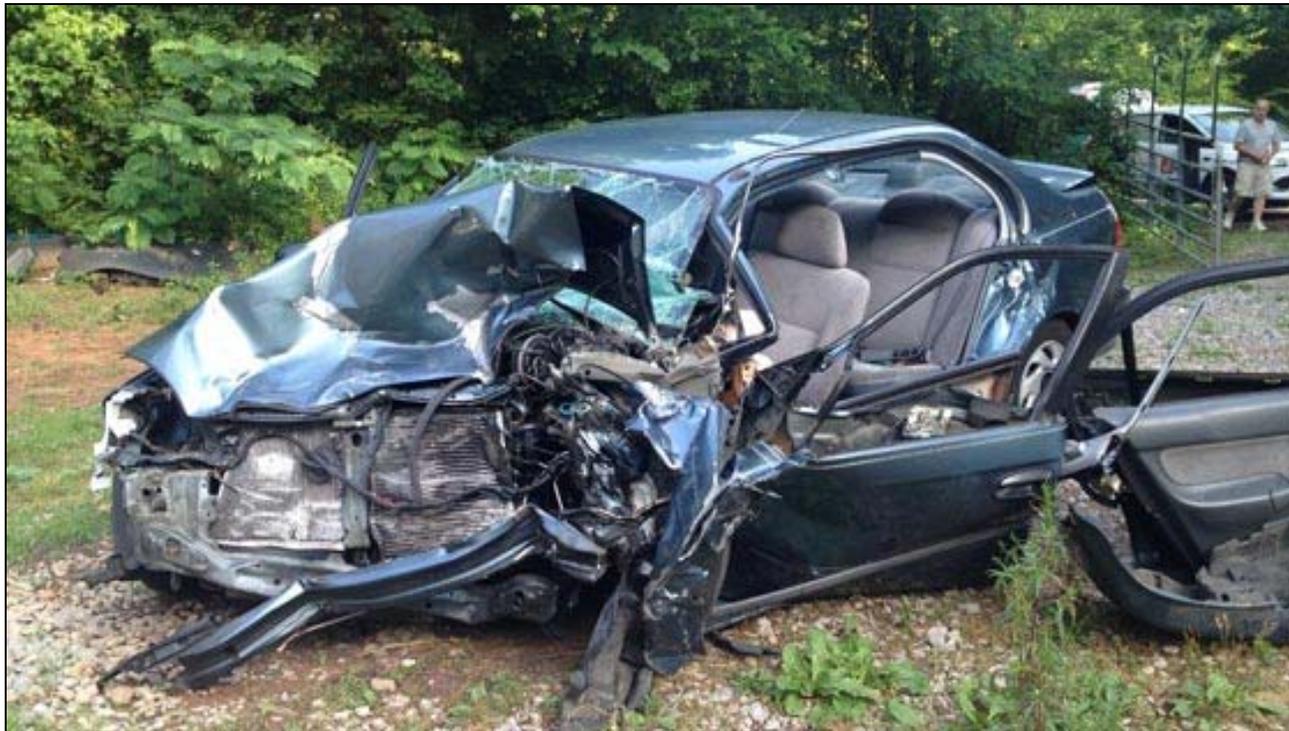
DD crash – Reaching for dropped phone

(Chronicle – Michigan 2010 – 18 year old driver, crashed into the back of a school bus while reaching for her dropped cell phone, driver's car ended up wedged under the bus)



DD Crash – Texting

(Tennessee 2014 – 17 year old texting while driving, crossed center line and slammed into deputy's cruiser in off-set, head-on collision, both seriously injured but survived)



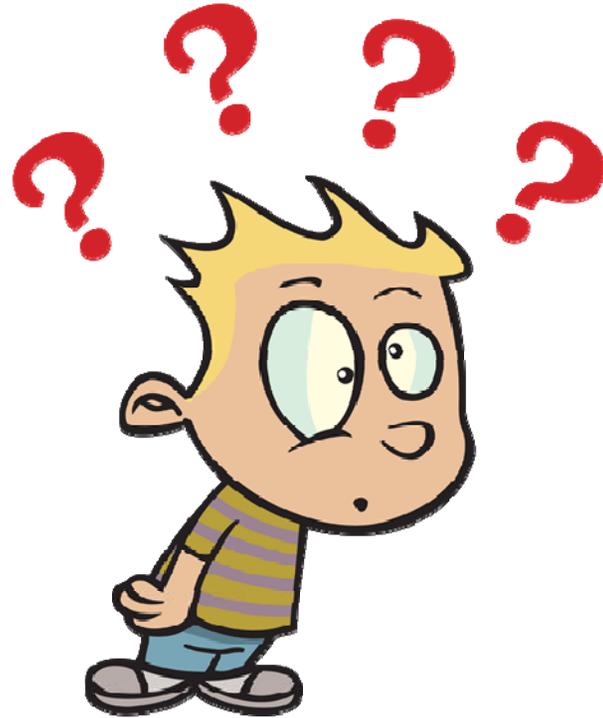
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Then, some statistics

- 2010 – CT - 3,092 collisions caused by drivers using cellphones (NHTSA)
- 2013 – Nationwide – 10% of all fatal crashes involved “distracted driving” (NHTSA)
 - 3,154 people killed
 - 424,000 injured
- 2014
 - 3,179 people killed
 - 431,000 injured
 - ❖ Largest proportion of those drivers are between the ages of 15-19 years old



ANY QUESTIONS



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