

Taking Your Mind Off the Road
 Eating or Drinking
 Thinking
 Putting on Makeup
 Tending to Children
 Talking on a CB Radio
 Talking to a Passenger
 Talking on a Phone
 Using a Navigation System
 Listening to Books on Tape
 Manipulating a DVD Player
 Texting a Friend
 Managing Emotions
 Looking for Something
 Watching an Event
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CURBING DISTRACTED DRIVING

2010 Survey of State Safety Programs



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Designed by Tony Frye.

The Governors Highway Safety Association (GHSA) is a nonprofit association representing the highway safety offices of states, territories, the District of Columbia and Puerto Rico. GHSA provides leadership and representation for the states and territories to improve traffic safety, influence national policy and enhance program management. Its members are appointed by their Governors to administer federal and state highway safety funds and implement state highway safety plans. For more information, please visit www.ghsa.org or call (202) 789-0942.

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ACRONYM LIST

References to State Highway Safety Offices refer to offices in the United States, the District of Columbia, Puerto Rico and the U.S territories.

CHOP	Children s Hospital of Philadelphia
DOT	Department of Transportation
FARS	Fatality Analysis Reporting System
GHSA	Governors Highway Safety Association
GTSC	Governor s Traffic Safety Committee
MMUCC	Model Minimum Uniform Crash Criteria
NCSL	National Conference of State Legislators
NETS	Network of Employers for Traffic Safety
NHTSA	National Highway Traffic Safety Administration
NSBA	National School Board Association
NSC	National Safety Council
OHS	Office of Highway Safety
OTS	Office of Traffic Safety
PACE	Prevent All Crashes Everyday
SHSO	State Highway Safety Office
SHSP	Strategic Highway Safety Plan

“We need to develop a traffic safety culture that does not condone driving while distracted much like we have done with drunk driving.”

Vernon F. Betkey, Jr.
GHSA Chairman
Director, Maryland Highway Safety Office

INTRODUCTION

In 2000, the National Highway Traffic Safety Administration (NHTSA) held a workshop on distracted driving research. In the ten years that followed, electronic devices that have the potential for distraction have changed dramatically. Cell phone usage has increased exponentially. Texting has become a standard practice, particularly among young persons. MP3 players have been replaced by iPhones® and similar devices. Blackberries® and PDA's have become commonplace tools for the workplace. Laptops and electronic notebooks are ubiquitous. Global Positioning Systems and other navigational devices have become more affordable, and their use is widespread. More recently, a whole spate of in-car entertainment devices have been introduced in automobiles, and many are now standard features. In short, **there are many more in-car and nomadic devices than there were ten years ago**, and the field is developing so rapidly that it is hard to keep up.

¹ Driver Electronic Device Use in 2008, NHTSA, Sept. 2009.

As a result, there is more use of electronic devices while driving than there was ten years ago. According to NHTSA data¹, **drivers using hand held cell phones at any given moment has increased from 4% in 2002 to 6% in 2008**. Drivers visibly manipulating electronic devices (such as for texting) at any given moment has more than doubled from .04% to 1%.

INTRODUCTION

As the use of electronic devices has changed, and as the public has become more aware of the dangers associated with distracted driving, the issue has emerged as a priority for state highway safety offices (SHSO). Since distracted driving is an emergent issue, SHSOs have implemented countermeasures only relatively recently.

Distracted driving is more than just using technology when driving. It represents a range of activities that impact a driver's visual, auditory, physical or cognitive abilities when driving. There have been concerns about distracted driving since windshield wipers were introduced in cars in the early 1900s. Opponents believed that the rhythmic movement might hypnotize the driver. The furor over distracted driving as we know it came about with the availability and widespread use of cell phones in America. Ten years ago, if you were behind someone on the road who had trouble staying in their lane or swerving, you assumed they were driving drunk. Today, many people assume they are driving distracted.

In fact, a 2009 Traffic Safety Culture Survey conducted by the AAA Foundation for Traffic Safety found that **35% of drivers surveyed felt less safe on the road today than they did five years ago**. Thirty-one percent of those cited distracted driving as the reason.

The public's interest in and concern about distracted driving has caused state legislators across the country and several national safety organizations to focus their efforts on distracted driving. The major focus of these efforts has been state-by-state legislative campaigns to mitigate distracted driving, specifically cell phone use. In 2009, that effort was expanded to state-by-state campaigns to prohibit texting while driving.

The Governors Highway Safety Association (GHSA) advocates a comprehensive approach to distracted driving and recently conducted a survey of its members to determine what states are doing outside of legislation to address and mitigate distracted driving. Fifty states, D.C., American Samoa and Guam responded to the survey.

This is the first national analysis of state comprehensive efforts to prevent and reduce distracted driving. Survey results show that states are out on front on the issue and working in a comprehensive manner to mitigate distracted driving. A summary of the survey results follows. **Detailed findings with state-by-state information can be found on pages 15 - 52.**



“Decades of experience with drunk driving have taught us it takes a consistent combination of education, effective enforcement, a committed judiciary, and collective efforts by local, state and national advocates to put a dent in the problem.”

Transportation Secretary Ray LaHood



SUMMARY OF KEY RESULTS

“Distracted Driving” was Webster Dictionary’s word of the year in 2009.

States across the country have enacted a variety of laws designed to combat distracted driving. However, legislation is just one prong of a comprehensive effort to address and mitigate a traffic safety issue. GHSA supports a comprehensive approach to distracted driving that includes the right balance of legislation, education and enforcement.

To date, the focus on distracted driving has been on state legislation. Less known but equally as important are efforts underway in states to educate the public about the dangers of distracted driving and the enforcement of existing distracted driving laws.

GHSA conducted a survey in 2010 to determine state efforts in these areas. This is the first national review of the efforts underway on distracted driving in the states.

Although the results show distracted driving is an emerging issue for states, many states should be given credit for being trendsetters on this issue. Their efforts will likely serve as best practices for other states.

A summary of the key results of the survey follows.

- **Distracted driving has emerged as a priority for State Highway Safety Offices (SHSOs).** Twenty-seven states, D.C. and Guam indicated that distracted driving is included in their strategic highway safety plans (SHSPs). Seven states indicated they’ve held summits or had special task forces on distracted driving.
- **States have improved data collection efforts.** Forty-three states and D.C. indicated that they collect data on whether distraction was a factor in crashes on police reports. Forty-four states, D.C. and American Samoa reported they collect information about distraction generally on the crash reports. **However, only 34 states collect specific information on cell phone use when driving that meet Model Minimum Uniform Crash Criteria (MMUCC).**² In seven years, the number of states collecting information about distraction as a factor in crashes has more than doubled from 17 in 2003 to 43 in 2010.

² MMUCC are voluntary guidelines originally developed in response to requests by states interested in improving and standardizing their state crash data. By providing states with a “minimum” set of data elements, MMUCC helps states collect reliable crash data, effectively guide enforcement planning, and shape sound traffic safety policy.

SUMMARY OF KEY RESULTS

- **There is a focus on efforts to educate novice drivers.**

Twenty-three states have created special materials on distraction for teen drivers. Information on distracted driving is a required component of driver education in 18 states and D.C., and it is a question on the driver's license test in 17 states and D.C. Thirty-two states and D.C. have distinct sections on distracted driving in their driver license manuals. In 2003 only, five states (Michigan, Minnesota, New Jersey, Virginia and Wisconsin) had similar sections in their license manuals.

- **There is an emphasis on education efforts.** Thirty-seven states and D.C. indicated they have public information/education campaigns on distracted driving. Eight states (California, Idaho, North Carolina, Pennsylvania, South Dakota, Tennessee, Texas and Washington) indicated efforts to provide training or technical assistance to the judiciary on distracted driving.

- **States are using new technology to educate motorists.**

Fifteen states and D.C. reported using social networking sites like Twitter and Facebook to promote anti-distracted driving messages.

- **States have been actively passing laws to address distracted driving for years.**

Seven states, D.C. and the U.S. Virgin Islands have hand-held cell phone bans. School bus drivers are prohibited from talking on the phone while driving in 18 states and D.C. Novice drivers are prohibited from talking and driving in 28 states and D.C. Text messaging while driving is banned in 28 states, D.C. and Guam, and novice drivers are banned from texting and driving in another nine states. School bus drivers are also banned from texting and driving in Oklahoma and Texas. Distracted driving bills have been introduced in 42 states this year. Please visit the GHSA website at www.ghsa.org for up-to-date state law information.

- **Public/Private Partnerships are increasing.** Thirty-five states indicated they have worked with other state agencies and private employers to address distracted driving. Sixteen states and D.C. indicated they have worked with other state agencies or private companies to develop distracted driving policies.

THE PROBLEM

Drivers that engage in distracting activities in the car pose a serious and deadly risk to everyone on the road. NHTSA estimates that in 2008, the most recent year for which data is available, 5,870 people lost their lives and another 515,000 were injured in police reported crashes in which one form of distraction was noted on the crash report.³ These numbers represent 16% of all overall motor vehicle fatalities and 21% of all injury crashes in 2008.

³ Traffic Safety Facts. An Examination of Driver Distraction as Recorded in NHTSA Databases, September 2008.

Distracted driving crash estimates vary widely. While these statistics are significant, NHTSA believes that they may be just the tip of the iceberg and do not represent the true scope of the problem. Measuring driver distraction is difficult and imprecise because of the self-reporting nature and timing of the data collection. Identification of distraction and determination of its role in a crash can be difficult for police, especially if there aren't any witnesses.

As **Table 1** shows, the proportion of fatalities associated with distraction increased from 12% in 2004 to 16% in 2008, and fatal crashes with driver distraction increased from 11% to 16% during the same time period. **Table 1** also shows that the percentage of drivers distracted at the time of a fatal crash has increased from 8% in 2004 to 11% in 2008.

A NHTSA analysis of Fatality Analysis Reporting System (FARS) data shows that, in 2008, 16% of all drivers under 20 in fatal crashes were reported as being distracted. This is the highest proportion of drivers in fatal crashes. The age group with the next highest proportion was drivers aged 20 to 29. **Figure 1** shows fatal crash data by age of driver in 2008.

THE PROBLEM

Table 1 Motor Vehicle Fatal Crashes 2004-2008

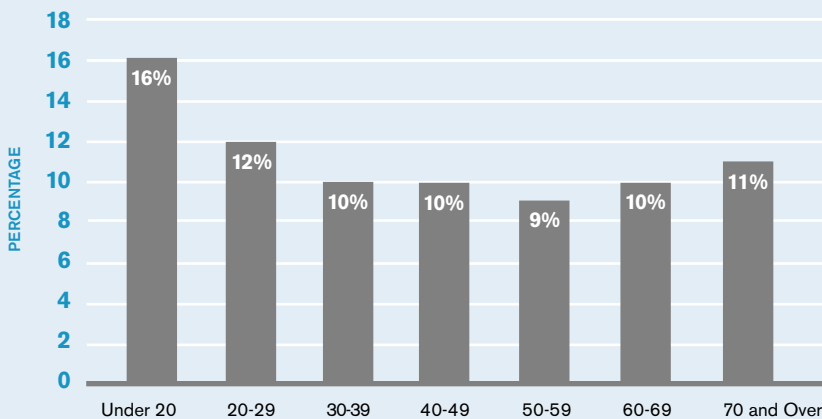
Source National Center for Statistics and Analysis, NHTSA

OVERALL CRASHES			
Year	Crashes	Drivers	Fatalities
2004	38,444	58,395	42,836
2005	39,252	59,220	43,510
2006	38,648	57,846	42,708
2007	37,435	56,019	41,259
2008	34,017	50,186	37,261

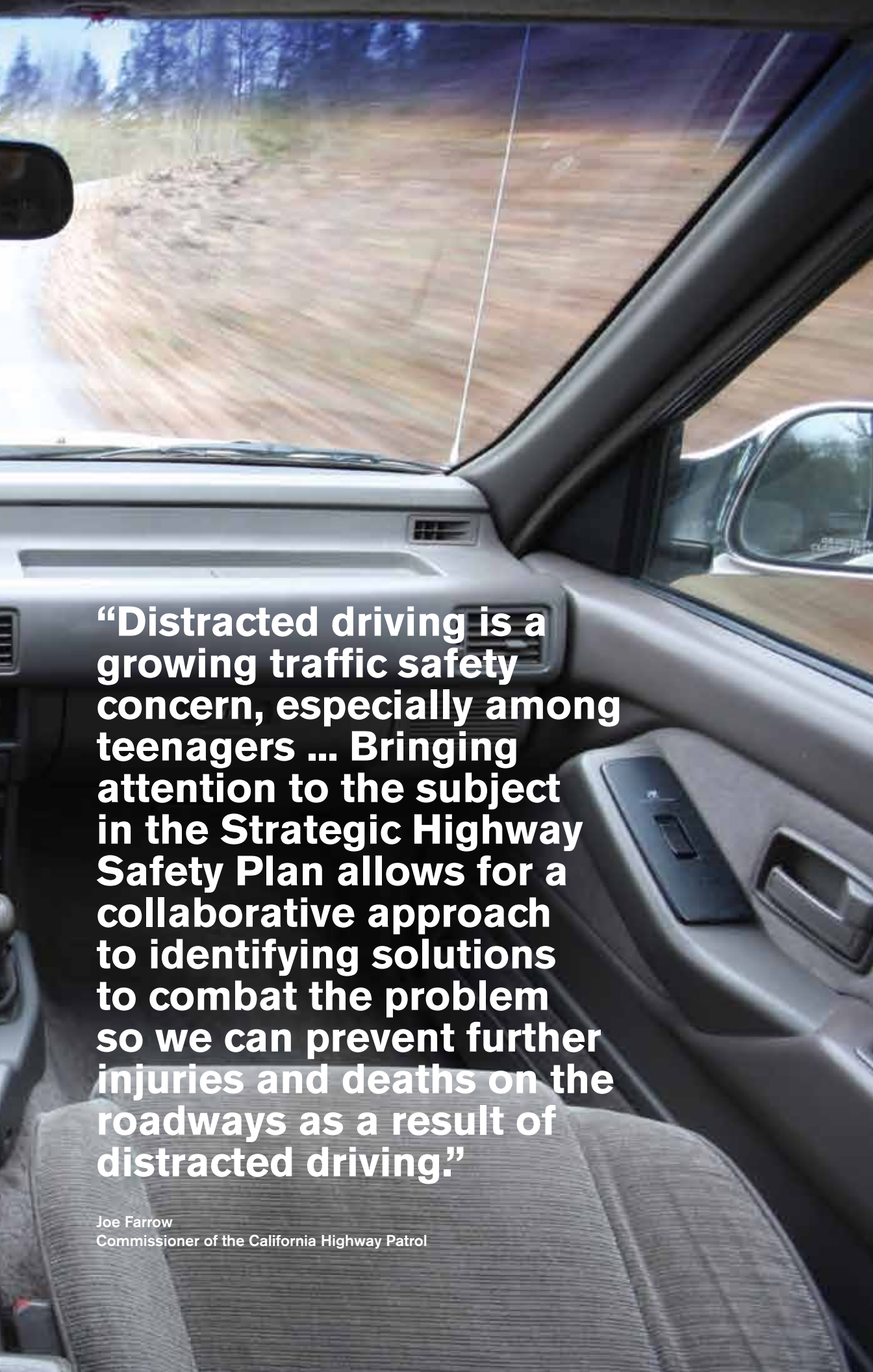
DISTRACTION RELATED CRASHES DURING SAME PERIOD			
Year	Crashes	Drivers	Fatalities
2004	4,409 (11% of 38,444)	4,672 (8% of 58,395)	4,978 (12% of 42,836)
2005	4,117 (10% of 39,252)	4,309 (7% of 59,220)	4,572 (11% of 43,510)
2006	5,323 (14% of 38,648)	5,536 (10% of 57,846)	5,917 (11% of 42,708)
2007	5,398 (14% of 37,435)	5,623 (10% of 56,019)	5,988 (15% of 41,259)
2008	5,331 (16% of 34,017)	5,501 (11% of 50,186)	5,870 (16% of 37,261)

Figure 1 Percentage of Distracted Drivers Involved in Fatal Crashes by Age, 2008

Source National Center for Statistics and Analysis, NHTSA





A photograph taken from the driver's perspective inside a car. The car is moving on a dirt road, with a blurred background of trees and a field. The interior of the car, including the dashboard, steering wheel, and seats, is visible. The text is overlaid on the lower half of the image.

“Distracted driving is a growing traffic safety concern, especially among teenagers ... Bringing attention to the subject in the Strategic Highway Safety Plan allows for a collaborative approach to identifying solutions to combat the problem so we can prevent further injuries and deaths on the roadways as a result of distracted driving.”

Joe Farrow
Commissioner of the California Highway Patrol

SECTION 1

DISTRACTED DRIVING AS A PRIORITY IN THE STATES

⁴ SAFETEA-LU is an authorization bill that governs United States federal surface transportation spending. It was signed into law by President George W. Bush on August 10, 2005 and expired as of September 30, 2009. An extension of the law was passed in May by President Obama and runs until December 31, 2010.

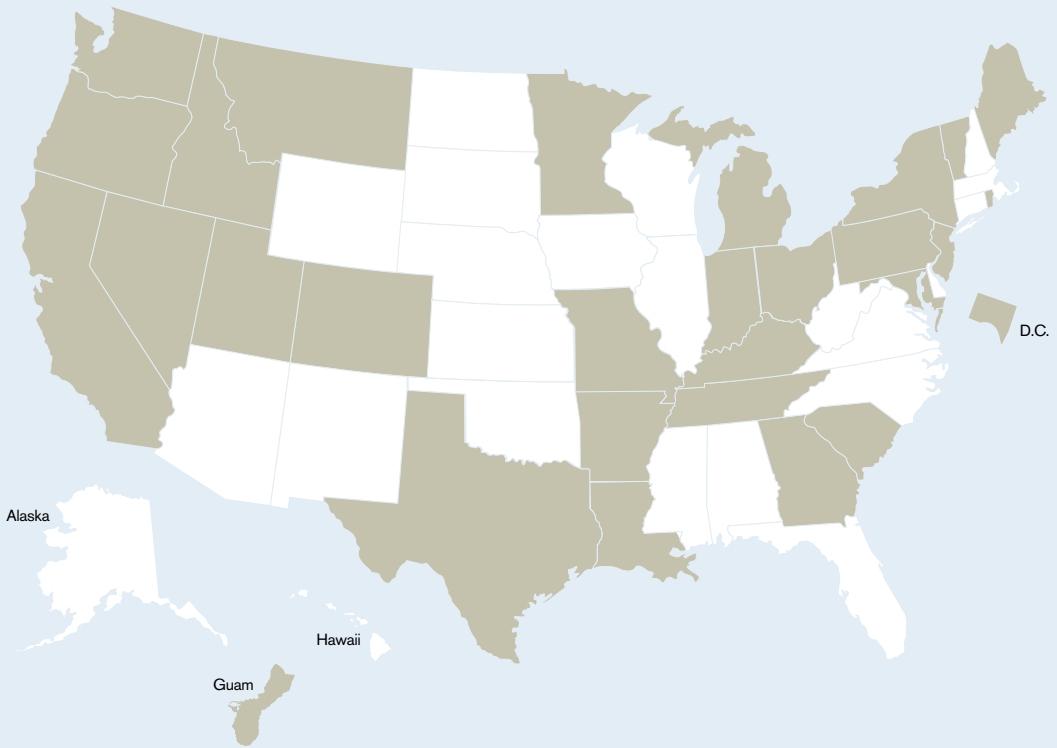
A Strategic Highway Safety Plan (SHSP), a federal requirement under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users⁴ (Public Law 109-59; SAFETEA-LU), is a statewide-coordinated safety plan that provides a comprehensive framework for reducing highway fatalities and serious injuries on all public roads. The SHSP establishes statewide goals, objectives, and key emphasis areas developed in consultation with federal, state, local, and private sector safety stakeholders.

Highway safety representatives in 27 states, D.C. and Guam indicated that distracting driving has been added as a priority area in their respective state SHSPs. See the map in **Figure 2**. The majority of states indicated that distracted driving was added as a priority in the last five years. Three states - New York, Pennsylvania and Oregon - indicated that it has been a priority for more than five years. These numbers are significant and indicate a concerted effort by many states to focus on distracted driving as a traffic safety issue without formal federal guidance.

California recently added distracted driving as a new area to its SHSP. A distracted driving committee has been set up with members from the Office of Traffic Safety (OTS), the California Highway Patrol, the Department of Motor Vehicles, and Caltrans (the California Department of Transportation), as well as the federal government, research, teen safety, and public awareness organizations. The committee will work together to define the problem in California and establish strategies and tactics to combat distracted driving in the coming years.

The following eight states indicated that the legislature or Governor has convened a task force or summit on distracted driving: Alabama, Illinois, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi and Ohio.

Figure 2 States with Distracted Driving in the Strategic Highway Safety Plan (SHSP) ●



- | | | |
|------------|------------|----------------|
| Arkansas | Maine | Oregon |
| California | Maryland | Pennsylvania |
| Colorado | Michigan | Rhode Island |
| D.C. | Minnesota | South Carolina |
| Georgia | Missouri | Tennessee |
| Guam | Montana* | Texas |
| Idaho | Nevada | Utah |
| Indiana | New Jersey | Vermont |
| Kentucky | New York | Washington |
| Louisiana | Ohio | |

* Specific to teen drivers

SECTION 1 DISTRACTED DRIVING AS A PRIORITY IN THE STATES

	Has distracted driving been included in the states SHSP?	If so, when?	Has your legislature or governor convened a distracted driving task force and/or summit?	If so, when?
Alabama	No		Yes	December 2009
Alaska	No		No	
American Samoa	No		No	
Arizona	No		No	
Arkansas	Yes	2007	No	
California	Yes	2010	No	
Colorado	Yes	2009	No	
Connecticut	No		No	
D.C.	Yes	2007	No	
Delaware	No		No	
Florida	No		No	
Georgia	Yes	Developed in 2009 and documented in the 2010 strategy.	No	
Guam	Yes	2010	No	
Hawaii	No		No	
Idaho	Yes	2010	No	
Illinois	No		Yes	2008
Indiana	Yes	2008	No	
Iowa	No		No	
Kansas	No		No	
Kentucky	Yes	2010	No	
Louisiana	Yes	At least 2008	Yes	The Louisiana Department of Transportation (DOT) Secretary addressed distracted driving at a statewide Traffic Safety Summit in March 2010.
Maine	Yes	2008	No	
Maryland	Yes	2008	No	
Massachusetts	No		Yes	
Michigan	Yes	2006	No	
Minnesota	Yes	2009	Yes	A working group of legislative members has been assembled and will meet January 11, 2010.

SECTION 1 DISTRACTED DRIVING AS A PRIORITY IN THE STATES

	Has distracted driving been included in the states SHSP?	If so, when?	Has your legislature or governor convened a distracted driving task force and/or summit?	If so, when?
Mississippi	No		Yes	
Missouri	Yes		No	
Montana	Yes (teens)	2009	No	
Nebraska	No		No	
Nevada	Yes	Only to the extent that it is considered as a possible causation of running off the road.	No	
New Hampshire	No		No	
New Jersey	Yes	2009 and 2010	No	
New Mexico	No		No	
New York	Yes	Since 2000.	No	
North Carolina	No		No	
North Dakota	No		No	
Ohio	Yes	2007	Yes	The summit was held by the Ohio DOT.
Oklahoma	No		No	
Oregon	Yes	1999	No	
Pennsylvania	Yes	2005	No	
Rhode Island	Yes	2007	No	
South Carolina	Yes	2007	No	
South Dakota	No		No	
Tennessee	Yes	2010	No	
Texas	Yes	2006	No	
Utah	Yes	2007	No	
Vermont	Yes	2009	No	
Virginia	No		No	
Washington	Yes	2010	No	
West Virginia	No		No	
Wisconsin	No		No	
Wyoming	No		No	

SECTION 2

DATA COLLECTION EFFORTS

In 2003, according to AAA, 17 states had laws requiring the collection of information on crashes in which distraction was a factor. Today, highway safety representatives in 43 states and D.C. indicated that data on distracted driving is collected on police crash reports. In seven years, the number of states collecting information about distraction as a factor in crashes has more than doubled. These increases are significant and indicate states' growing emphasis on distracted driving.

However, only 34 collect data as a separate data element consistent with the distraction element outlined in MMUCC. Of the remaining states, a number are currently updating their crash report forms to be consistent with the MMUCC distraction data element. **Recently proposed federal legislation would require states to collect this data in order to qualify for certain federal funding. Updated information on state laws related to distracted driving can be found at www.ghsa.org/html/stateinfo/laws.**

States collect a variety of data on distracted driving on the crash reports, and the collection efforts are not uniform. Some efforts are extensive and include a range of distraction activities; others are not. For example, in Washington, the police accident report includes 12 data elements related to driver distraction. In Florida, police may indicate whether distraction was a contributing factor but must explain in narrative.⁵

⁵ In 2011, Florida will have new crash report forms with a specific box for distracted driving and eight codes for identifying the specific distraction.

Examples of distracted driving data elements collected on crash forms include: Cell phone use (hand-held) or hand-free; Children; Eating and drinking; Smoking; Animals; Inattention; Reading; Personal hygiene; Visual obscurement; Operation of electronic equipment; Object or person outside the vehicle; Sun in eyes; Insect; Livestock; Animals outside the vehicle; Navigation device; and Palm Pilot.



SECTION 2 DATA COLLECTION EFFORTS

	Does your state collect information about the number of crashes in which distraction (of any kind) is a factor in a crash?	How long have you collected the data?	Does your state collect data of any kind on distracted driving crashes on the crash reports?
Alabama	Yes	June 2009	Yes
Alaska	Yes		Yes
American Samoa	No		Yes
Arizona	No		No
Arkansas	Yes	January 2007	Yes
California	Yes	More than five years	Yes
Colorado	Yes	July 2006	Yes
Connecticut	No		No
D.C.	Yes	2004	Yes
Delaware	Yes	For a couple of years	Yes
Florida	Yes	2002	Yes
Georgia	No		Yes
Guam	No		No
Hawaii	Yes	2008	Yes
Idaho	Yes	At least 13 years	Yes
Illinois	Yes	2002	Yes
Indiana	Yes	2003	Yes
Iowa	No		No
Kansas	Yes	2003	Yes
Kentucky	Yes	2000	Yes
Louisiana	Yes	2005	Yes
Maine	Yes	2010	Yes
Maryland	Yes	2004	Yes
Massachusetts	No		No
Michigan	Yes	2001	Yes
Minnesota	Yes	30 or 40 years	Yes
Mississippi	Yes		Yes
Missouri	Yes		Yes
Montana	Yes	Inattention in 1995 and cell phones 2002	Yes
Nebraska	Yes	2002	Yes
Nevada	Yes	2004	Yes
New Hampshire	No		Yes
New Jersey	Yes	2001 and separate field for cell phones in 2006.	Yes

SECTION 2 DATA COLLECTION EFFORTS

	Does your state collect information about the number of crashes in which distraction (of any kind) is a factor in a crash?	How long have you collected the data?	Does your state collect data of any kind on distracted driving crashes on the crash reports?
New Mexico	Yes	1995	Yes
New York	Yes	2000	Yes
North Carolina	No		No
North Dakota	Yes	Distraction as a broad category has been collected for many years. However, effective June 1, 2009, additional data elements of distraction including “communication devices (cell phone, pager)” and “electronic device (navigation device, palm pilot)” were added to the crash report.	Yes
Ohio	Yes	Driver inattention has been collected since at least 1997.	Yes
Oklahoma	Yes	2007	Yes
Oregon	Yes	2007	Yes
Pennsylvania	Yes	Prior to 1987	Yes
Rhode Island	Yes	2007	Yes
South Carolina	Yes	For at least 20 years	Yes
South Dakota	Yes	2008	Yes
Tennessee	Yes	2003	Yes
Texas	Yes		Yes
Utah	Yes	Since 2002. In 2006, driver distraction was added as its own data element and completed for every driver.	Yes
Vermont	Yes	Since mid-2002	Yes
Virginia	Yes	2005	Yes
Washington	Yes	2006	Yes
West Virginia	Yes	Since 1997. The information was separated into its own field and greatly enhanced in 2007.	Yes
Wisconsin	Yes		No
Wyoming	Yes	The catch-all factor “Inattentive Driving” is one of a number of driver-related possible contributing circumstances from which officers can choose when completing the uniform traffic crash report. The report form was last revised in the 1980s.	Yes

SECTION 3

REACHING OUT TO NOVICE DRIVERS

As **Figure 3** shows, 23 states are focusing distracted driving materials on teen drivers. Why the focus on novice drivers? First, motor vehicle crashes are the leading cause of death for teenagers in the United States. Teen drivers (between 16 and 19) are involved in fatal crashes at four times the rate of adult drivers (25 to 69), per mile driven. A 2009 NHTSA analysis of FARS data shows that 16% of all drivers under 20 in fatal crashes were reported distracted. A recent NHTSA observational study found that the number of teen drivers using cell phones appeared to be more than all other age groups combined.

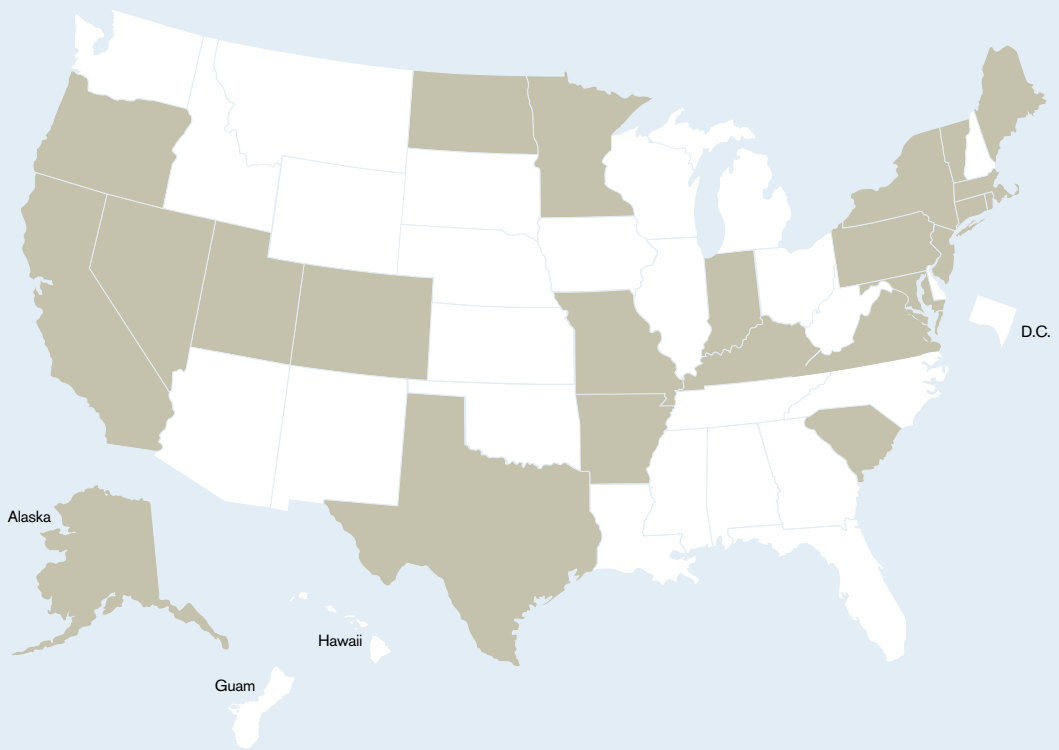
Second, there is a well-accepted body of research that demonstrates that immaturity and inexperience behind the wheel makes teen drivers more susceptible to distractions than other drivers.

Third, a recent survey of teen drivers found that teens themselves have some serious misperceptions about the dangers of distracted driving. In 2008, the Children's Hospital of Philadelphia (CHOP) in partnership with State Farm Insurance Companies conducted a national survey⁶ of teen drivers to get their viewpoints on driving. The survey identified several interesting observations teen drivers made about driver distractions, including:

⁶ 2009 CHOP National Young Driver Survey.

- Only 10% correctly believe that having other teen passengers in the car makes a lot of difference to safety. Sixty-four percent indicated they witnessed their friends driving with teen passengers always or often.
- Only 28% correctly believe that talking on a cell phone while driving makes a difference to driving safety. Fifty-seven percent indicated that they witness their friends talking on the phone always or often.
- 79% percent recognize that text messaging, playing a video game or using some other hand held device when driving is a dangerous behavior, and only 19% witness friends texting when driving.
- Less than a quarter of those surveyed correctly recognized strong emotions like being happy or excited make a lot of difference to safety. Less than 50% recognized that being

Figure 3 States with Distracted Driving Materials Targeting Teen Drivers and/or Their Parents ●



- | | | |
|-------------|---------------|----------------|
| Alaska | Maryland | Oregon |
| Arkansas | Massachusetts | Pennsylvania |
| California | Minnesota | Rhode Island |
| Colorado | Missouri | South Carolina |
| Connecticut | Nevada | Texas |
| Indiana | New Jersey | Utah |
| Kentucky | New York | Virginia |
| Maine | North Dakota | |

SECTION 3 REACHING OUT TO NOVICE DRIVERS

upset, angry or sad make a difference to safety, and 26% and 20% witnessed friends acting that way when driving.

- Researchers also found that parents play a key role in raising safe drivers and need to lead by example. If parents talk on the phone, read a map when driving or text message, their children are likely to do the same.

To address these issues, SHSOs have developed a variety of educational materials and programs aimed at teen drivers, including brochures, posters, fact sheets, talking points, pledge cards, public service announcements, commercials, websites, social networking sites, and prom materials and programs. The list below includes links to several state websites dedicated to teens and driving distractions.

Alaska
www.youtube.com/watch?v=0sVi8UgHjz8

Arkansas
www.archildrens.org/injury_prevention/current_programs/motor-vehicle-safety/teen-safety.asp

California
<http://impactteendrivers.org>

Colorado
www.coloradodot.info/programs/colorado-teen-drivers

Florida
www.takethewheel.net/distracted.htm

Illinois
<http://teensafedrivingillinois.org>

Indiana
www.in.gov/cji/3387.htm

Maine
www.mainteendrivers.org

New Jersey
www.njteendriving.com

North Dakota
www.ndteendrivers.com

Texas
<http://t-driver.com>

Utah
<http://dont-drive-stupid.com>

Vermont
www.TurnOffTexting.com

SECTION 3 REACHING OUT TO NOVICE DRIVERS

SHSOs across the country are working with a variety of organizations and companies (automobile manufactures, cell phone manufacturers and insurance companies) to educate teen drivers and their parents about the dangers of distracted driving. For example:

- The Ford Fund and GHSA jointly developed the Ford *Driving Skills for Life* Program in 2003. Since that time, this innovative teen driving program has traveled around the country teaching teens the skills they need to be safe drivers. The program gives particular attention to driver distraction. SHSOs in at least 30 states have partnered with Ford and GHSA on this program. More information is available at www.drivingskillsforlife.com.
- Since the first edition of AT&T's *Be Sensible* teen driver program was introduced in 2002, the comprehensive educational resource has been provided at no charge to thousands of teachers nationwide, who have used the materials to educate nearly 12.5 million students about managing driver distractions. In fact, 95 percent of the teachers who have used the program say they plan to use it again. The Minnesota OTS is partnering to distribute the materials.
- The Allstate Foundation launched a comprehensive teen safe driving program in 2005 that seeks to develop innovative, teen-informed approaches to raise awareness of the issue and, ultimately, to help save lives and reduce injuries. The program includes *Keep the Drive*®, a national teen-led smart driving movement that educates teens about the issue, impacts the way they think and act in the car, and empowers them to become smart driving activists in their schools and communities. The Illinois SHSO has partnered with Allstate in the state's very successful Operation Teen Safe Driving program. For more information, visit www.KeeptheDrive.com.
- The Cellular Telephone Industry Association and the National Safety Council (NSC) developed a teen-focused driver education program in 2009 to educate teens about the dangers of distraction. These advertisements are airing in several states with support from SHSOs. See <http://info.howcast.com/onroadoffphone> for more information.

SHSOs also support teen efforts to promote safe driving like those of state Students Against Destructive Decisions chapters, National Organizations for Youth Safety and others.

One in four (26%) American teens of driving age say they have texted while driving, and half (48%) of all teens ages 12 to 17 say they've been a passenger while a driver has texted behind the wheel.

Teens and Distracted Driving: Major Findings
Pew Center 2009



Teens are four times more likely to get into a related crash or near crash event than their adult counterparts when using a cell phone.

Virginia Tech Transportation Institute

State Driver Education Programs

Although driver education programs have been available in the United States for 80 years, state requirements vary widely. Some states have mandatory driver education programs; others do not. Some states have privately run programs; other states have publicly run programs. Today, little consensus exists on the benefits of driver education and training, what it should entail and how it should be delivered. However, parents and teens still consider driver education as one of the first steps in learning to drive, and at least 36 states make driver education a requirement for a learner's permit and/or a provisional license.

As **Figure 4** shows, information on distracted driving is a required component of driver education in at least 18 states and D.C. A question on distracted driving is on the driver's license test in 17 states and D.C.

Updating Driver License Manuals

In 2003, as part of their Stay Focused, Keep Your Mind on the Road campaign, AAA conducted a survey of state driver licensing manuals. The survey found that five state manuals had sections on distracted driving. Twenty state manuals mentioned using cell phones while driving, and 32 states mentioned managing emotions when driving. Fewer than 10 state manuals mentioned eating and drinking, reading or adjusting vehicle controls when driving. As a result, AAA developed a model section on driver distraction for state licensing manuals. A copy of the model section and AAA's 2003 survey can be found in **Appendix 2**, page 55.

Today, 32 states and D.C. have distinct sections in their license manuals (**Figure 5**) on distraction, and another 21 states discuss the dangers of at least one type of distraction (cell phones, texting, eating and drinking, adjusting controls, emotions, reading maps, etc).

SECTION 3 REACHING OUT TO NOVICE DRIVERS

	Has your office or state developed distracted driving materials targeting teen drivers and/or their parents?	Is distracted driving a required component of driver education in your state?	Is information on distracted driving included in your state's driver manual?	Is a question on distracted driving included on your state's driver license test?
Alabama	No	No	No	No
Alaska	Yes	No	Yes	Yes
American Samoa	No	No	No	No
Arizona	No	No	Yes	No
Arkansas	Yes	Yes	Yes	Yes
California	Yes	Yes	Yes	No
Colorado	Yes	No	Yes	No
Connecticut	Yes	Yes	Yes	Yes
D.C.	No	Yes	Yes	Yes
Delaware	No	No	Yes	No
Florida	No	No	Yes	No
Georgia	No	No	No	No
Guam	No	No	No	No
Hawaii	No	No	Yes	No
Idaho	No	Yes	Yes	No
Illinois	No	Yes	Yes	Yes
Indiana	Yes	No	Yes	No
Iowa	No	No	No	No
Kansas	No	No	No	No
Kentucky	Yes	No	No	No
Louisiana	No	No	Yes	No
Maine	Yes	Yes	No	No
Maryland	Yes	No	Yes	Yes
Massachusetts	Yes	Yes	Yes	No
Michigan	No	No	No	No
Minnesota	Yes	No	Yes	No
Mississippi	N/A	N/A	N/A	NA

SECTION 3 REACHING OUT TO NOVICE DRIVERS

	Has your office or state developed distracted driving materials targeting teen drivers and/or their parents?	Is distracted driving a required component of driver education in your state?	Is information on distracted driving included in your state's driver manual?	Is a question on distracted driving included on your state's driver license test?
Missouri	Yes	No	No	No
Montana	No	Yes	No	No
Nebraska	No	No	Yes	Yes
Nevada	Yes	No	No	No
New Hampshire	No	No	No	No
New Jersey	Yes	No	Yes	No
New Mexico	No	No	Yes	Yes
New York	Yes	Yes	Yes	Yes
North Carolina	No	Yes	Yes	Yes
North Dakota	Yes	No	No	No
Ohio	No	Yes	No	No
Oklahoma	No	No	Yes	No
Oregon	Yes	Yes	Yes	Yes
Pennsylvania	Yes	Yes	Yes	Yes
Rhode Island	Yes	Yes	Yes	Yes
South Carolina	Yes	No	No	No
South Dakota	No	No	No	No
Tennessee	No	No	Yes	Yes
Texas	Yes	Yes	Yes	No
Utah	Yes	No	Yes	No
Vermont	No	No	No	No
Virginia	Yes	Yes	Yes	Yes
Washington	No	Yes	Yes	Yes
West Virginia	No	Yes	Yes	Yes
Wisconsin	No	Yes	Yes	Yes
Wyoming	No	NA	No	NA

SECTION 4

EDUCATION EFFORTS ACROSS THE COUNTRY

Utah HSO's Social Networking sites have over 2,000 followers. Their Twitter page contains daily posts about safe driving practices.

In the 2009 Traffic Safety Culture Survey sponsored by the AAA Foundation, 40% of drivers younger than 35 (and about one in five of all drivers of all ages) admitted to texting while driving during the previous month. Yet, when asked specifically about threats to their personal safety, 87% rated drivers' texting or emailing as a very serious threat, 79% rated drivers not paying attention as a very serious threat, and 58% rated drivers talking on cell phones as a very serious threat. People seem to be concerned about the effect of distraction on others and may not understand the impact it has on their own driving.

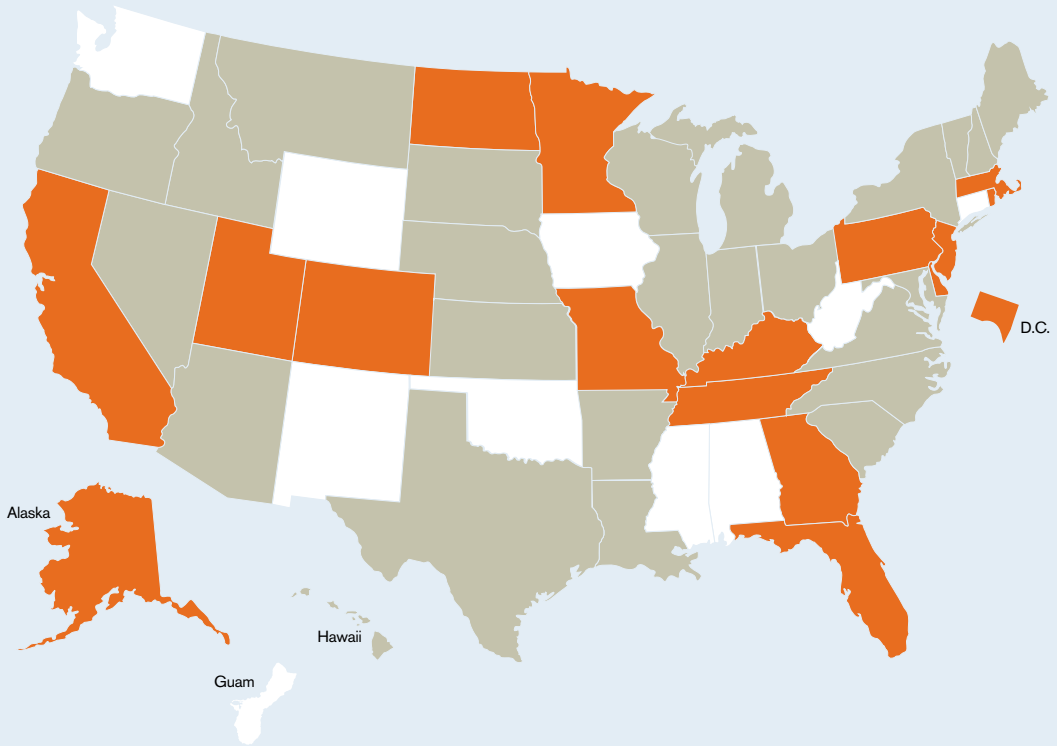
As **Figure 6** shows, 41 states and D.C. indicated they are working to address that issue and have conducted or are conducting public education/information efforts on distracted driving.

Figure 6 also shows the 16 states and D.C. that reported using social networking sites to promote anti-distracted driving messages. Social networking sites like Facebook and Twitter allow SHSO offices to increase support for highway safety issues. Pennsylvania also allows visitors to link from the Drive Safe PA website to their own social networking pages.

⁷ Creating and Connecting. Research and Guidelines on Online Social and Educational Networking. NSBA 2007.

In a 2007 survey,⁷ the National School Board Association (NSBA) found that 96% of students with access to the Internet built social networks and that 60% indicated they discussed education related topics. Social networking sites encourage discussion on highway safety issues and allow people to provide input on state traffic safety programs. Social networking sites are also extremely popular with teenagers, a target audience for SHSOs. Links to several pages can be found on page 34.

Figure 6 States Educating the Public About the Dangers of Distracted Driving Using Traditional Methods ●
States Using Both New Media/Social Networking and Traditional Methods to Educate Motorists about Distracted Driving ●



- Alaska ● (YouTube)
- Arizona ●
- Arkansas ●
- California ●
- Colorado ● (Twitter)
- D.C. ●
- Delaware ● (Twitter)
- Florida ●
- Georgia ●
- Hawaii ●
- Idaho ●
- Illinois ●
- Indiana ●
- Kansas ●
- Kentucky ● (Facebook and Twitter)
- Louisiana ●
- Maine ●
- Maryland ●
- Massachusetts ● (YouTube and Facebook)
- Michigan ●
- Minnesota ● (Facebook and Twitter)
- Missouri ● (Facebook, Twitter and eblog)
- Montana ● Developing website on distracted driving.
- Nebraska ●
- Nevada ●
- New Hampshire ●
- New Jersey ● (Facebook)
- New York ●
- North Carolina ●
- North Dakota ● (Facebook and Twitter)
- Ohio ●
- Oregon ●
- Pennsylvania ● (Digg, Delicio.us, Stumbleupon, Furl, Facebook, Technorati and Reddit.)
- Rhode Island ● (Facebook and Twitter)
- South Carolina ●
- South Dakota ●
- Tennessee ● (Facebook)
- Texas ●
- Utah ● (Facebook and Twitter)
- Vermont ●
- Virginia ●
- Wisconsin ●

Links to SHSO Social Networking Sites

Alaska

www.youtube.com/watch?v=MmdGSQpK4ss

California

www.facebook.com/CaliforniaOTS

www.facebook.com/group.php?gid=19010738932

Colorado

<http://twitter.com/cdotmedia>

Delaware

<http://twitter.com/DEHighwaySafe>

Georgia

www.facebook.com/pages/Atlanta-GA/Georgia-GOHS/111346754821

Kentucky

www.facebook.com/search/?ref=search&q=cell%20phones&init=quick#!/pages/Frankfort-KY/Kentucky-Office-of-Highway-Safety/66969880860?ref=search&id=1318284403.1074961694..1

Minnesota

www.facebook.com/pages/Saint-Paul-MN/MnDPS_OTSTraffic-Safety/157662572967

Missouri

www.facebook.com/pages/Jefferson-City-MO/Missouri-Department-of-Transportation/34153815856
www.modot.mo.gov/Twitter/index.htm

North Dakota

www.facebook.com/pages/Bismarck-ND/North-Dakota-Department-of-Transportation/88374649460?sid=b28860e438a10ce83fbce0edaef8f775&ref=search

Utah

www.facebook.com/zerofatalities

www.facebook.com/dontdrivestupid

<http://twitter.com/zerofatalities>

Eight states (California, Idaho, North Carolina, Pennsylvania, South Dakota, Tennessee, Texas and Washington) indicated efforts to provide training or technical assistance to the judiciary on distracted driving. Training efforts include simply providing information on new laws to the judiciary, presenting on new laws at legislative conferences, and specialized training sessions for judges. Specific information by state can be found in the table on page 33.

SECTION 4 EDUCATION EFFORTS ACROSS THE COUNTRY

	Has your state taken steps to educate the public about the dangers of distracted driving?	Is your state using new media/social networking sites to educate motorists about distracted driving?	Has your state provided training or other assistance to the judiciary on distracted driving?	Describe
Alabama	No	No	No	
Alaska	Yes	Yes (YouTube)	No	
American Samoa	No	No	No	
Arizona	Yes	No	No	
Arkansas	Yes	No	No	
California	Yes	Yes	Yes	A member of the California Highway Patrol serves on the Advisory committee of the Judicial Council. This group provides training for new bench officers.
Colorado	Yes	Yes (Twitter)	No	
Connecticut	No	No	No	
D.C.	Yes	Yes	No	
Delaware	No	Yes (Twitter)	No	
Florida	Yes	Yes	No	
Georgia	No	Yes	No	
Guam	No	No	No	
Hawaii	Yes	No	Yes	The Honolulu Police Department provided information to educate the Judiciary and Prosecutor's Office before the law took effect.
Idaho	Yes	No	No	
Illinois	Yes	No	No	
Indiana	Yes	No	No	
Iowa	No	No	No	
Kansas	Yes	No	No	
Kentucky	Yes	Yes (Facebook and Twitter)	No	
Louisiana	Yes	No	No	
Maine	Yes	No	No	

SECTION 4 EDUCATION EFFORTS ACROSS THE COUNTRY

	Has your state taken steps to educate the public about the dangers of distracted driving?	Is your state using new media/social networking sites to educate motorists about distracted driving?	Has your state provided training or other assistance to the judiciary on distracted driving?	Describe
Maryland	Yes	No	No	
Massachusetts	Yes	Yes (YouTube and Facebook)	No	
Michigan	Yes	No	No	
Minnesota	Yes	Yes (Facebook and Twitter)	No	
Mississippi	N/A	N/A	N/A	
Missouri	Yes	Yes (Facebook, Twitter and eblog)	No	
Montana	Yes	No	No	
Nebraska	Yes	No	No	
Nevada	Yes	No	No	
New Hampshire	Yes	No	No	
New Jersey	Yes	Yes (Facebook)	No	
New Mexico	No	No	No	
New York	Yes	No	No	
North Carolina	Yes	No	Yes	Training on all traffic safety laws, including distracted driving is provided to the Judiciary.
North Dakota	No	Yes (Facebook and Twitter)	No	
Ohio	Yes	No	No	
Oklahoma	No	No	No	
Oregon	Yes	No	No	
Pennsylvania	Yes	Yes (Digg, Del.icio.us, Stumbleupon, Furl, Facebook, Technorati, and Reddit.)	Yes	Pennsylvania's network of grantee Community Traffic Safety Projects perform District Justice outreach as part of the required activities in their grants. Distracted driving is one of the various traffic safety issues touched upon during these meetings.

SECTION 4 EDUCATION EFFORTS ACROSS THE COUNTRY

	Has your state taken steps to educate the public about the dangers of distracted driving?	Is your state using new media/social networking sites to educate motorists about distracted driving?	Has your state provided training or other assistance to the judiciary on distracted driving?	Describe
Rhode Island	Yes	Yes (Facebook and Twitter)	No	
South Carolina	Yes	No	No	
South Dakota	Yes	No	Yes	No formal training but educational information is provided to both law enforcement and prosecutors.
Tennessee	No	Yes (Facebook)	Yes	
Texas	Yes	No	Yes	Training is provided to municipal court judge with materials developed through a traffic safety grant with the NSC.
Utah	Yes	Yes (Facebook and Twitter)	No	
Vermont	Yes	No	No	
Virginia	Yes	No	Yes	In Virginia, current legislation and traffic safety laws are discussed at the Annual Judicial Conference.
Washington	No	No	No	
West Virginia	No	No	No	
Wisconsin	Yes	No	No	
Wyoming	No	No	No	

SECTION 5

PUBLIC/PRIVATE COLLABORATIONS

GHSA calls on private companies and state agencies, as part of a company or agency's employment policy, to discourage text messaging and the use of cell phones and other electronic devices when driving, except in emergency situations.

GHSA encourages its members to work with other public and private organizations in their respective states to address highway safety issues. Highway safety representatives in 35 states indicated they have worked with other state agencies or private organizations to address distracted driving.

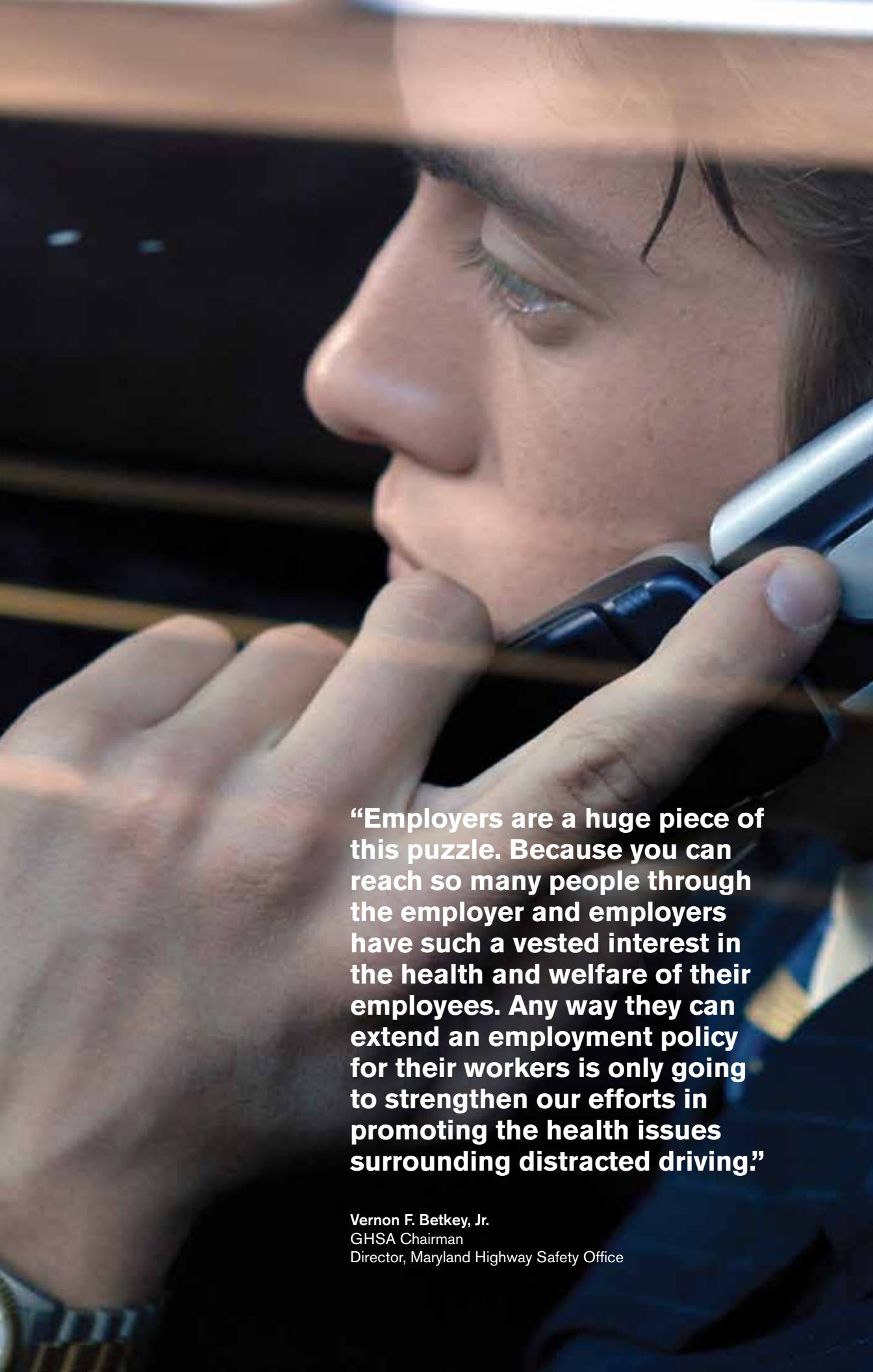
SHSOs have collaborated with public and private organizations on legislation related to distracted driving, distracted driving education campaigns, employer policies on distracted driving, work place videos and enforcement programs.

In Minnesota, the OTS recently announced a partnership with AT&T on an anti-texting while driving campaign. The *It Can Wait* campaign features true stories and the text messages that were sent or received before a life altering or ending crash. The campaign ads are powerful and highlight how inconsequential text messaging can be by focusing on the last messages ever sent, such as, "LOL" and "Where r u." The Minnesota OTS is working with AT&T to distribute the advertisements and produce and distribute educational materials, such as posters.

Several states have established corporate outreach programs in an effort to disseminate traffic safety material and messages to employers. Delaware and Kentucky have added distracted driving components to their corporate outreach programs, and those efforts are highlighted below.

In 2006, Delaware launched a unique corporate outreach program to address the growing need of businesses to educate their employees about the importance of traffic safety both on and off the clock. The program has grown in size and scope over the last four years and includes 45 partners (corporate, nonprofit and state-run agencies). The Delaware Office of Highway Safety (OHS) plans to include information on distracted driving in their program later this year. Delaware's Corporate Outreach program includes:

- A monthly traffic safety e-newsletter that reaches about 10,000 people every month.
- Promotional traffic safety materials that are mailed on a regular basis.



“Employers are a huge piece of this puzzle. Because you can reach so many people through the employer and employers have such a vested interest in the health and welfare of their employees. Any way they can extend an employment policy for their workers is only going to strengthen our efforts in promoting the health issues surrounding distracted driving.”

Vernon F. Betkey, Jr.
GHSA Chairman
Director, Maryland Highway Safety Office

SECTION 5 PUBLIC/PRIVATE COLLABORATIONS

- Corporate Partners and Fleet Managers Meetings scheduled on a regular basis. The corporate partners meetings bring safety managers together with highway safety advocates in a roundtable format to discuss effective ways to bring the safety message to diverse groups of employees. Two partners meetings are held every year in the months of March and September. Once a year, Corporate Outreach gathers together the partners that administer large fleets of vehicles and drivers. Fleet administrators from both the public and private sector meet to discuss the unique challenges of maintaining the safety of large fleets of vehicles and drivers.
- An award program that recognizes outstanding efforts. At the September corporate partners meeting, Corporate Outreach awards companies that have done an outstanding job working with OHS in outreach to their employees.

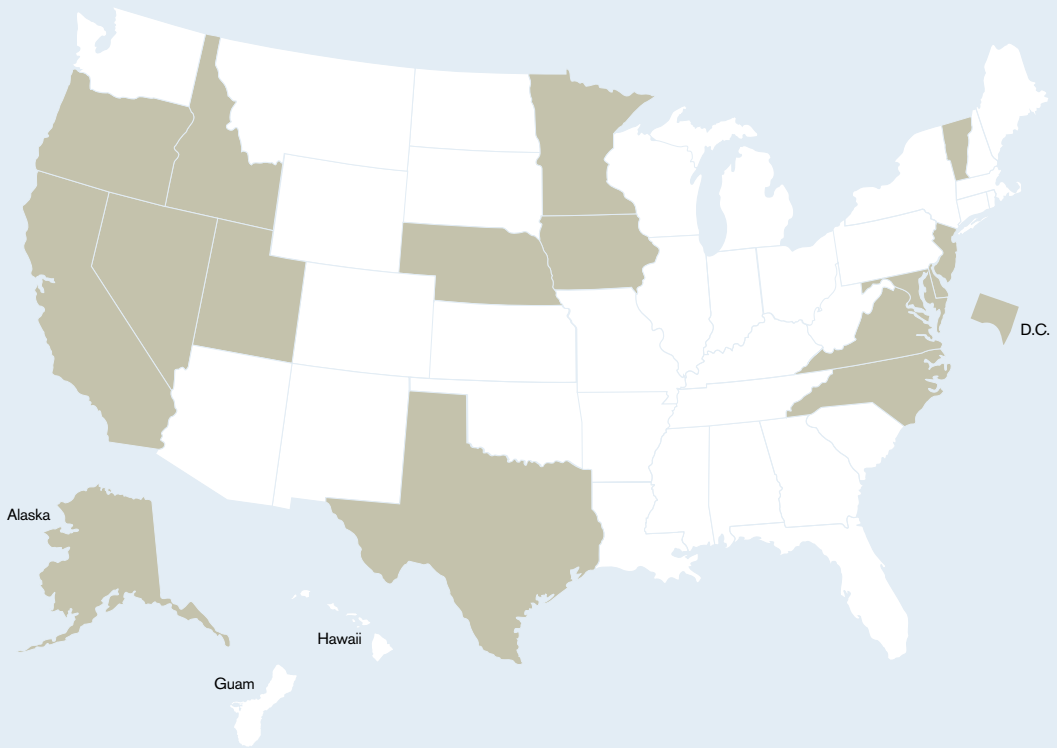
Kentucky's corporate outreach program provides materials to employers across the state and makes speakers available on a variety of traffic safety issues including distracted driving. The OHS provides posters and other educational materials to employers about the dangers of driving distracted, provides a list of contacts available to speak to employees about managing distractions when driving and offers a distracted driving simulator that employers can use to demonstrate first-hand the dangers of driving distracted.

The D2 Simulator has been a very popular piece of equipment ever since the OHS unveiled it at the 2009 Kentucky State Fair. OHS has lent the D2 simulator to several schools and companies across the state as a result of the demonstration at the Fair. Requests for the D2 Simulator have become so numerous that OHS recently ordered another one.

OHS sets the D2 Simulator up in a program called 'risky driving,' which puts the simulator driver in situations where their attention and reaction time are put to the test. OHS also has the simulator driver use cell phones and text and drive to make them aware of the dangers caused by this behavior. The drivers are able to see - in a safe setting - what happens when they talk and drive or text and drive via a replay of their session. Typically, the vehicle crosses over the center line, runs on to the road shoulder, and/or there is a noticeable variation in speed.

GHSa has partnered with Oprah Winfrey and Harpo Productions on a year-long effort to raise awareness about distracted driving. SHSOs contributed in multiple ways to raise visibility and encouraged the

Figure 8 States Working with Employers to Develop Distracted Driving Policies ●



- | | | |
|------------|----------------|----------|
| Alaska | Maryland | Oregon |
| California | Minnesota | Texas |
| D.C. | Nebraska | Utah |
| Delaware | Nevada | Vermont |
| Idaho | New Jersey | Virginia |
| Iowa | North Carolina | |

public to take Oprah's "No Phone Zone" pledge on April 30, 2010. For more information, visit Oprah's website at www.oprah.com/npphonezone.

As **Figure 8** on page 41 shows, 16 states and D.C. indicated they've worked with employers in their respective states to develop distracted driving policies. New Jersey's sample employer policy is highlighted on page 43.

Cell phone use when driving, texting while driving and distracted driving in general may create liability for employers under the legal doctrine of *respondet superior*. Under this doctrine, employers may be held vicariously liable for acts their employees commit during the course of employment.

⁸ NETS Survey of Member Cell Phone Policies. February 2010.

A 2010 survey⁸ of 24 leading companies that operate vehicle fleets, conducted by the Network of Employers for Traffic Safety (NETS), shows that 74% (16 of the 24 companies surveyed) either have policies in place or are planning to implement policies that ban the use of all mobile devices while driving company vehicles. The rules apply to both handheld and handsfree devices. Although all of the companies surveyed ban hand-held mobile devices, which would prohibit texting, most companies also have specific language in their policies regarding text messaging. In many cases, the policies apply whether the driver is operating a company-owned vehicle or is using a personal vehicle for company business.

⁹ NSC Membership Survey Report. September 2009.

In a 2009 survey⁹ of its members, the National Safety Council (NSC) found that 58% (1,163 out of 2,004 respondents) had a cell phone policy of some kind. Of those, 469 members noted that they completely banned cell phone use while driving. Employee safety and public safety were the top two reasons given by 99% of companies.

The survey found that although most policies are enforced through an honor system, 43% of companies conduct parking lot observations and 40% use driver records and traffic citations. Almost 10% conduct in-vehicle monitoring.

Experiences with other traffic safety issues like child passenger safety and teen driving have shown the many benefits of public/private partnerships to solve traffic safety problems. Public/private partnerships increase resources dedicated to the issue, expand the reach to the targeted audiences and ultimately the success of the project.

SAMPLE CELL PHONE USE POLICY FOR BUSINESSES NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY

While operating a company-owned vehicle and/or while in the performance of company business and operating any vehicle, employees shall not operate a cell phone, electronic communication device or any other electronic equipment, including hands-free devices. This shall apply to company-owned/issued devices or ones owned by the employee.

Employees are directed not to initiate and/or receive calls or use that equipment while driving except when absolutely necessary during an emergency as provided by law. If an employee must initiate or receive a call, text message or other communication; they shall drive to a safe location and stop the vehicle prior to activating the device, remaining there until the communication is completed.

(Note: The Department of Law and Public Safety, Division of Highway Traffic Safety, does not endorse this specific policy. It is provided strictly as a model for employers.)

SECTION 5 PUBLIC/PRIVATE COLLABORATIONS

	Working with employers in the state to develop distracted policies?	Has your office worked with other state agencies or private companies to address distracted driving?	Details
Alabama	No	No	
Alaska	Yes	No	
American Samoa	No	No	
Arizona	No	Yes	
Arkansas	No	Yes	The SHSO works with the Arkansas Children’s Hospital Injury Prevention Center, the University of Arkansas for Medical Sciences, the Arkansas Strategic Highway Safety Planning Committee and others to educate the public about the dangers of distracted driving.
California	Yes	Yes	The SHSO works in conjunction with DMV, trucking companies, trucking associations, the Department of Education and local transportation commissions to educate the public. The SHSO also provides guest lectures at the Trucking, Utilities, and Motor Carrier Association Meetings.
Colorado	No	Yes	The SHSO has worked with the Colorado State Patrol, high schools and state safety coalitions. CDOT partnered with the Teen Motor Vehicle Leadership Alliance to develop print ads, radio spots and videos on the dangers of distracted driving. The winners were recognized by the Governor and the media. The winning materials were distributed state wide to media outlets on website.
Connecticut	No	Yes	Connecticut’s Governor Rell assembled a Task Force on Teen Driving issues. This group works with both state agencies and private organizations. Distracted driving is one of the major issues.
D.C.	Yes	No	Working with AAA MidAtlantic as well as legislators on both cell phone and comprehensive distracted driving bills.
Delaware	Yes	Yes	
Florida	No	Yes	The DOT Safety Office developed a policy prohibiting texting and emailing while driving a DOT vehicle. Management determined that all state agencies should have such a consistent policy and that is being promoted to all state agency heads for adoption.
Georgia	No	No	
Guam	No	No	

SECTION 5 PUBLIC/PRIVATE COLLABORATIONS

	Working with employers in the state to develop distracted policies?	Has your office worked with other state agencies or private companies to address distracted driving?	Details
Hawaii	No	Yes	Worked with the Honolulu Police Department to promote the Honolulu cell phone ordinance. Based state cell phone law on the Honolulu ordinance and sought local input.
Idaho	Yes	Yes	Idaho's SHSP Distracted Driving Emphasis Area team is working with various entities to address distracted driving.
Illinois	No	Yes	The Division of Traffic Safety at IDOT is working with the Illinois Secretary of State to develop a comprehensive program on distracted driving issues.
Indiana	No	Yes	
Iowa	Yes	Yes	
Kansas	No	Yes	The SHSO is working with the Highway Patrol, AAA, At&T and others to promote a texting while driving ban. SHSO is working with the media to get the message out about the dangers of distracted driving. SHSO staff also give presentations at schools and other community organizations on the dangers of distracted driving.
Kentucky	No	Yes	The Governor of Kentucky signed an Executive Order banning texting and multi-media use while state employees are driving state-owner vehicles.
Louisiana	No	No	
Maine	No	Yes	The SHSO works with AAA, NSC and other state agencies to educate the public about the dangers of distracted driving.
Maryland	Yes	Yes	In 2009, the SHSO funded a project with the Chesapeake Region Safety Council.
Massachusetts	No	Yes	The Highway Safety Division forged a partnership with the Safe Roads Alliance to address the issue of distracted driving, specifically text messaging. Both the City of Boston and the Massachusetts Bay Transportation Authority have implemented restrictions on the use of cell phones by employees. Private advanced driver training schools within the Commonwealth have integrated distracted driving into their hands-on and written curriculum.
Michigan	No	Yes	
Minnesota	Yes	Yes	The SHSO partnered with AAA on the Teen No Texting PSA contest. The OTS is partnering with AT&T on an aggressive public safety campaign around the dangers of texting while driving including websites, billboards and TV. Partnered with the Minnesota Department of Health and the Minnesota Department of Transportation to address the culture of traffic safety.

SECTION 5 PUBLIC/PRIVATE COLLABORATIONS

	Working with employers in the state to develop distracted policies?	Has your office worked with other state agencies or private companies to address distracted driving?	Details
Mississippi			
Missouri	No	No	
Montana		Yes	Montana has an administrative rule that discourages cell phone use in state cars. This rule has been adopted by the Montana Municipal Interlocal Authority and the Montana Association of Counties.
Nebraska	Yes	Yes	The SHSO office partnered with the NSC - Omaha Chapter to offer training and suggestions on employer based policies during their member breakfast series.
Nevada	Yes	Yes	The SHSO conducts an annual PACE (Prevent All Crashes Everyday) teen driving competition that includes a challenge to student groups (at various high schools) to come up with a marketing campaign of teens talking to teens about traffic safety. Last year's competition produced the 'Don't Drive While Intoxicated' poster/message. PACE partners include State Farm Insurance, Nevada school districts, the Las Vegas Motor Speedway, and the Regional Transportation Commission of Southern Nevada.
New Hampshire	No	No	
New Jersey	Yes	Yes	The Division of Highway Traffic Safety works with the state Traffic Officers Association, the Chiefs of Police, the N.J. State Police, the N.J. State Safety Council, the AAA Clubs of New Jersey, the N.J. Motor Vehicle Commission, NJDOT, OSHA and other groups to promote its Hang Up, Just Drive message.
New Mexico	No	No	
New York	No	Yes	The Governor's Traffic Safety Committee (GTSC) was awarded a federal contract to participate on a Distracted Driving Pilot in Syracuse. The pilot will unite the Syracuse City Police Department with the New York State Police and the Onondaga County Sheriff's Office to combat the distraction of cell phone use while driving.
North Carolina	Yes	Yes	DMV and AAA
North Dakota	No	Yes	In North Dakota, coalitions of state and local stakeholders have convened to develop legislation aimed at curbing distracted driving (i.e., limitations on the use of electronic devices while driving). However, the bills have failed before the Legislature.
Ohio	No	Yes	The SHSO is beginning to work with partners on distracted driving. Initial efforts include broadcast e-mails to traffic safety partners. Distracted driving video "Distracted Driving at What Cost" is available for employers and other state agencies in the state.

SECTION 5 PUBLIC/PRIVATE COLLABORATIONS

Working with employers in the state to develop distracted policies?

Has your office worked with other state agencies or private companies to address distracted driving?

[Details](#)

SECTION 6

STATE LAWS

GHSA supports state legislation that would ban text messaging for all drivers, electronic devices used for entertainment purposes with video screens that are within view of the driver and school bus drivers from text messaging or using electronic devices except in emergencies.

In the last 10 years, the increase in cell phone use has driven interest in and legislation related to cell phones and other potential distractions in motor vehicles. The National Conference of State Legislators (NCSL) reports that since 2000, lawmakers in every state, the District of Columbia and Puerto Rico have considered legislation related to cell phones use in cars or distracted driving.¹⁰

In 2009, 46 states considered almost 200 bills on driver distraction: 12 passed.¹¹ According to NCSL, as of March 2010, 257 distracted driving bills had been introduced in 42 states.

In 2000, three states had laws related to cell phones in cars.¹² Today, seven states (California, Connecticut, Maryland, New Jersey, New York, Oregon and Washington), D.C. and the U.S. Virgin Islands prohibit all drivers from using hand-held cell phones while driving.¹³

No state completely bans all types of cell phone use (hand-held and hands-free) for all drivers, but many prohibit cell phone use by some drivers. **Figure 9** highlights the 28 states and D.C. that ban all cell phone use by novice drivers and the 18 states and D.C. where school bus drivers are prohibited from all cell phone use when passengers are present.¹⁴

As **Figure 10** shows, 28 states, D.C. and Guam ban text messaging for all drivers.¹⁵ Nine other states prohibit text messaging by novice drivers, and two restrict school bus drivers from texting when driving. Washington State was the first state to enact a texting ban, in May 2007. GHSA worked with NHTSA and other allied safety groups to develop a sample texting while driving banning bill or states. A copy of the sample bill is included in **Appendix 1**, on **page 54**.

Real time updates on distracted driving laws including cell phone bans can be found at www.ghsa.org/html/stateinfo/laws/cellphone_laws.html.

Some states, such as Maine, New Hampshire and Utah treat cell phone use and texting as part of larger distracted driving legislation. Utah considers cell phone use to be an offense *only* if a driver is also committing some other moving violation (other than speeding).

¹⁰ NCSL 2009 Traffic Safety Legislation Summary, February 2010.

¹¹ IBID.

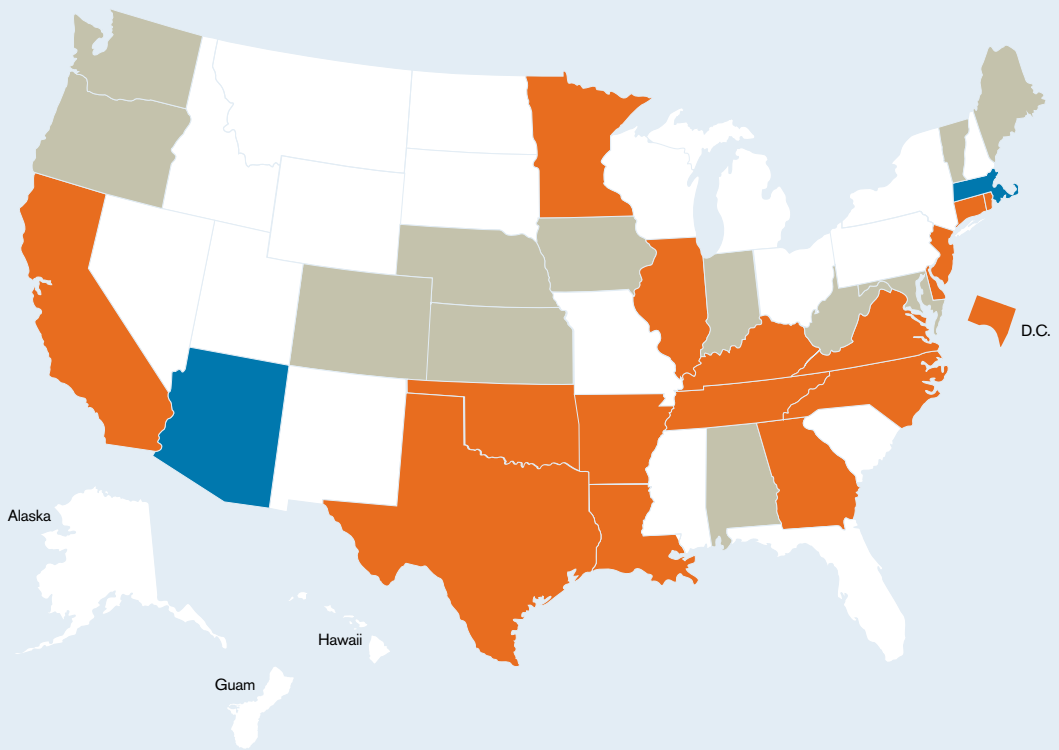
¹² Source:NCSL.

¹³ GHSA does not advocate handheld cell phone bans, as there is no clear indication that hands-free use is any safer than handheld.

¹⁴ In some states a police officer may cite a driver solely for using a hand-held cell phone when driving. Please visit www.ghsa.org for more information the specifics of each law.

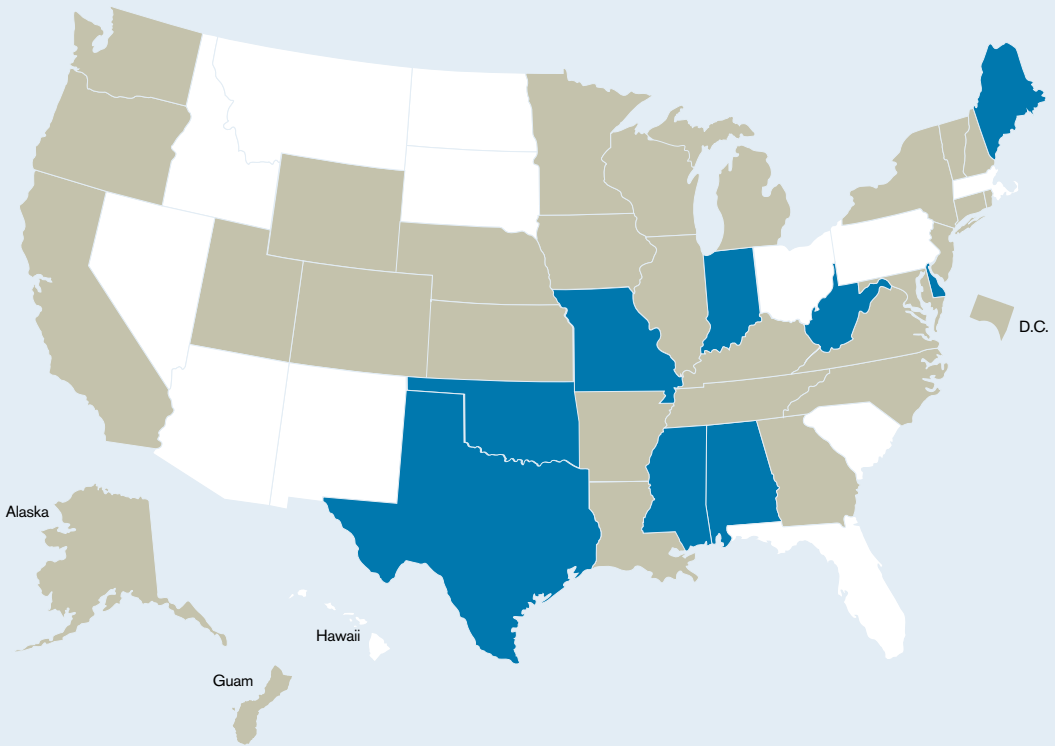
¹⁵ GHSA supports texting bans for all drivers.

Figure 9 States with Novice Driver Cell Phone Bans ●
States with School Bus Driver Cell Phone Bans ●
Both ●



- | | | |
|---------------|------------------|-----------------|
| Alabama ● | Iowa ● | Oklahoma ● |
| Arizona ● | Kansas ● | Oregon ● |
| Arkansas ● | Kentucky ● | Rhode Island ● |
| California ● | Louisiana ● | Tennessee ● |
| Colorado ● | Maine ● | Texas ● |
| Connecticut ● | Maryland ● | Vermont ● |
| D.C. ● | Massachusetts ● | Virginia ● |
| Delaware ● | Minnesota ● | Washington ● |
| Georgia ● | Nebraska ● | West Virginia ● |
| Illinois ● | New Jersey ● | |
| Indiana ● | North Carolina ● | |

Figure 10 States with All Driver Text Messaging Bans ●
States with Novice Driver Text Messaging Bans ●



- | | | |
|---------------|-----------------|------------------|
| Alabama ● | Kansas ● | North Carolina ● |
| Alaska ● | Kentucky ● | Oklahoma ● |
| Arkansas ● | Louisiana ● | Oregon ● |
| California ● | Maine ● | Rhode Island ● |
| Colorado ● | Maryland ● | Tennessee ● |
| Connecticut ● | Michigan ● | Texas ● |
| D.C. ● | Minnesota ● | Utah ● |
| Delaware ● | Mississippi ● | Vermont ● |
| Georgia ● | Missouri ● | Virginia ● |
| Guam ● | Nebraska ● | Washington ● |
| Illinois ● | New Hampshire ● | West Virginia ● |
| Indiana ● | New Jersey ● | Wisconsin ● |
| Iowa ● | New York ● | Wyoming ● |

SECTION 7

ENFORCEMENT

Distracted driving is a relatively new issue. State and local enforcement resources are primarily focused on impaired driving and occupant protection efforts. Just a few states are actively enforcing distracted driving laws. However, Connecticut, New Jersey and New York have conducted or plan to conduct “model” distracted driving enforcement programs. Detailed information on these programs follows.

Connecticut and New York - NHTSA Pilot Programs

NHTSA awarded the Connecticut Department of Transportation and the State of New York’s Department of Motor Vehicles funding to conduct distracted driving enforcement programs. The pilot programs will take place in Syracuse, New York and Hartford, East Hartford and West Hartford, Connecticut.

The distracted driving pilot programs are modeled after NHTSA’s Click It or Ticket program and include high-visibility enforcement, paid and earned media and outreach. Specifically, the distracted driving pilot programs will include: 1) data collection before, during, and after media and enforcement phases; 2) earned and paid publicity announcing vigorous enforcement; 3) highly visible enforcement each day of a one- to two-week enforcement period; and 4) a media event announcing program results.

The public education messages will build awareness about the many distractions inside a motor vehicle and the dangers they pose. The pilot programs will primarily focus on the use of mobile communication devices because cell phones are so prevalent in the United States, and cell phone use is one of the only distracted driving behaviors enforceable by law. A new television and radio spot, posters and logo were created by NHTSA for the demonstration projects. NHTSA expects that this will serve as a “model program” suitable for replication by other states to decrease distracted driving behaviors.

Over the course of the projects, four waves of enforcement activity will take place in both states. New York began its first enforcement wave on April 8-17, 2010. The following waves will be conducted in July and October 2010 and April 2011. Connecticut began its first enforcement wave on April 10-16, 2010. The subsequent waves will be conducted in July and October 2010 and March 2011.

New Jersey - Hang Up, Just Drive

New Jersey's wireless hand-held telephone and electronic communication device ban became effective in March of 2008. In 2009, to educate the public about the dangers of driving distracted and step up enforcement efforts, the state launched an enforcement and education initiative called "Hang Up, Just Drive." The program provided grants of \$4,000 each to 18 local police departments for identifying and stopping motorists who they observed texting or talking on a hand-held cell phone while driving. The enforcement wave occurred during a two-week period in March 2009, to coincide with the first anniversary of the primary law. Departments were encouraged to schedule other waves throughout the spring and summer months using their own resources.

Police officers were positioned both on the street and in police vehicles at various intersections to observe drivers who may be violating the cell phone law. If a violation was observed, the vehicle was pulled over and a citation was issued to the driver. During the March enforcement wave, 4,074 cell phone tickets were issued to motorists in the participating communities. In addition to cell phone/texting citations, participating police departments also issued 387 seat belt summonses and 185 speeding tickets, cited 27 motorists for driving while intoxicated and made 32 drug-related arrests. Statewide in March 2009, police officers wrote 14,464 cell phone/texting citations, an all-time high since the primary law went into effect.

As part of the New Jersey Division of Highway Traffic Safety's efforts to continue educating both residents and visitors to New Jersey about the state's primary cell phone law, the State Department of Transportation will also have new signage in place on major roadways, including those that serve as major entry points into New Jersey, in time for the start of the summer travel season. The signs will alert motorists that it's illegal to talk on a hand-held cell phone or text and drive in New Jersey. A reminder to buckle up, every ride, will also be included.

Since March of 2008, more than 224,000 citations – an average of almost 10,000 a month – have been issued to motorists violating New Jersey's law.

APPENDICES

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA) SAMPLE TEXTING BILL

§ 1 Short title

This act may be cited as the [State] Ban on Texting While Driving Law

§ 2 Purpose

The purpose of this subchapter is to:

- (1) Improve roadway safety for all vehicle operators, passengers, bicyclists, pedestrians, and other road users;
- (2) Prevent crashes related to the act of text messaging while driving a motor vehicle;
- (3) Reduce injuries, death, property damage, health care costs, health insurance and automobile insurance rates related to motor vehicle crashes; and
- (4) Authorize law enforcement officers to stop vehicles and issue citations to persons texting while driving as a standard offense.

§ 3 Application

Except as provided in Section 4, this subchapter applies to all drivers during operation of a motor vehicle on the travel portion of public streets, roads and highways [Option: States may elect to cover only motor vehicles in motion]. This subchapter amends [insert state code] to make it unlawful to manually type or enter multiple letters, numbers, symbols or other text in a wireless communication device, or send or read data in the device, for the purpose of non-voice interpersonal communication, including texting, emailing and instant messaging.

§ 4 Exemptions

This subchapter does not apply to a driver who is:

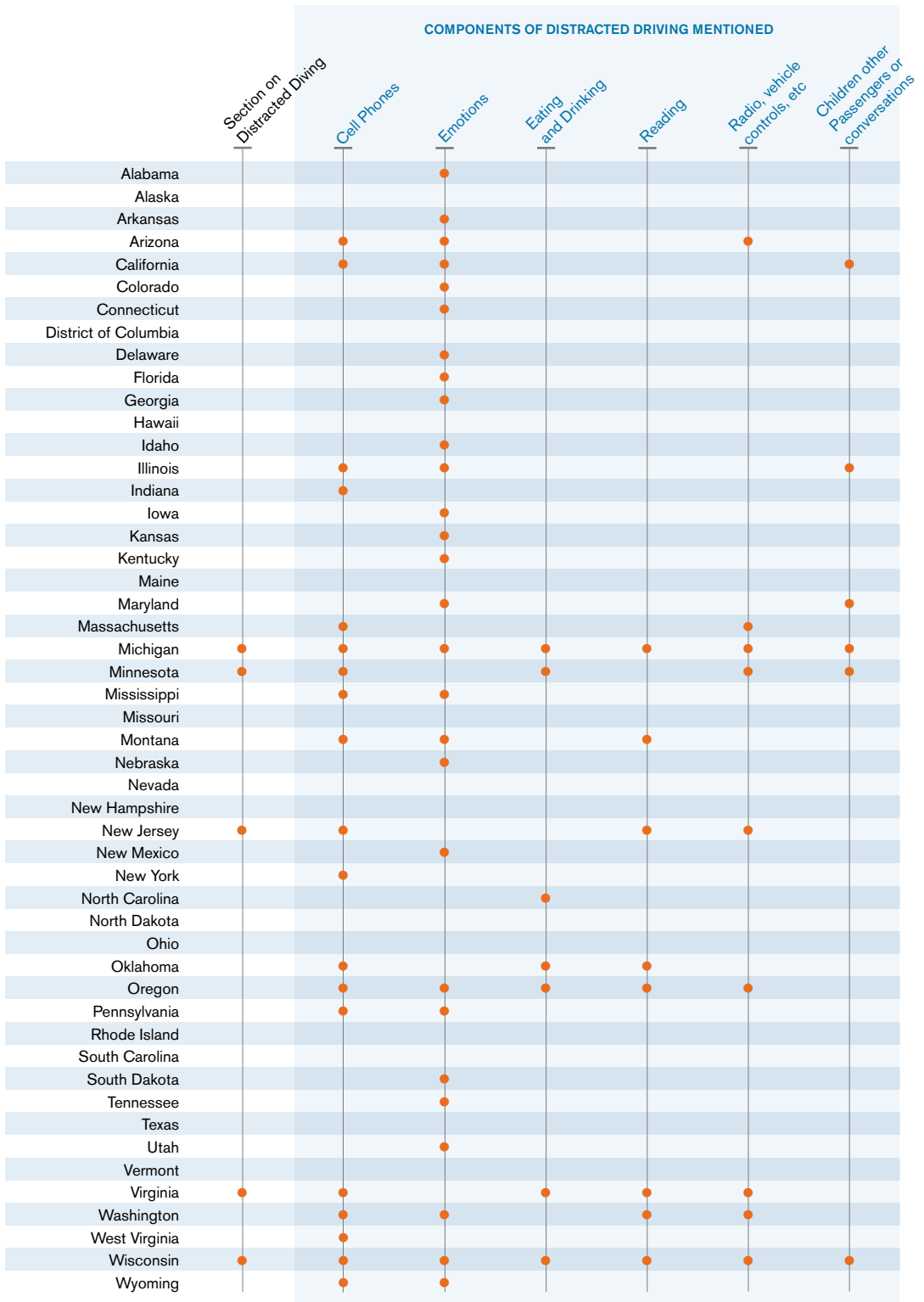
- (1) A law enforcement, fire service, or emergency medical services professional performing official duties.
- (2) Reporting an emergency, or criminal or suspicious activity to law enforcement authorities.
- (3) Receiving messages related to the operation or navigation of a motor vehicle; safety-related information including emergency, traffic, or weather alerts; data used primarily by the motor vehicle; or radio.
- (4) Using a device or system for navigation purposes.
- (5) Conducting wireless interpersonal communication that does not require manual entry of multiple letters, numbers, or symbols or reading text messages, except to activate, deactivate, or initiate a feature or function.

§ 5 Penalties

A driver violating this subchapter shall be subject to a penalty of:

- (1) For the 1st offense – traffic infraction or violation including a minimum fine of \$75 and action against driving privileges.
- (2) For a subsequent offense – penalties should escalate in accordance with the State's motor vehicle and traffic laws.
- (3) For any offense that results in a death or serious injury –the infraction should increase to a felony (criminal offense) with penalties consistent with State sentencing guidelines.

2003 AAA SURVEY OF STATE DRIVER LICENSE MANUALS



AAA MODEL DRIVER'S LICENSE SECTION ON DISTRACTED DRIVING

Being distracted from, or not giving your full attention to your driving, could result in serious consequences. Anything that takes your attention away from driving can lead you to make a poor choice when driving.

Types of Distractions

Some causes of inattentive driving are: eating, drinking, talking on a cell phone, writing, reading, smoking, changing your CDs or radio station, looking at people or objects outside your vehicle, looking for things inside your vehicle, talking to passengers, dealing with children or pets, applying makeup, shaving, etc. Distractions fall into three categories:

1. Physical – Distractions that cause the driver to take his or her hands off the wheel or eyes off the road. Examples are tuning a radio or dialing a cell phone.
2. Intellectual – Activities that take the driver's mind off the road. Examples are having a conversation or thinking about a recent confrontation with a co-worker or spouse.
3. Combination – Some activities take your hands, eyes and mind off the task at hand. An example is reading a map while driving.

Dealing with Distractions

No matter what the distraction, drivers who are distracted exhibit the same basic type of behavior. Distractions cause drivers to react more slowly to traffic conditions or events, such as a car stopping to make a left turn or pulling out from a side road. Drivers fail more often to recognize potential hazards such as pedestrians, bicycles or debris in the road. They also decrease their "margin of safety," leading them to take risks they might not otherwise take, such as turning left in front of oncoming traffic. Below are ways to minimize in-vehicle distractions:

- Pre-program your favorite radio stations for easy access and arrange tapes and CDs in an easy-to-reach spot.
- Keep your stereo at a volume low enough so you can hear things outside of your vehicle. If it is turned up too loud, you may not be able to hear a siren, horn honking, screeching of tires or other things that would lead you to react to an emergency or hazard in order to prevent a crash.
- Plan ahead to avoid bad weather or construction zones.
- Designate a front-seat passenger to serve as a "co-pilot," rather than fumble with maps or navigation systems. If you are driving alone, map out destinations in advance.
- If you cannot avoid eating and drinking while driving, make sure all food items are secure and drinks fit securely in cup holders.
- Teach children the importance of good behavior while in a vehicle. Do not underestimate how distracting it can be to tend to them in the car.

- Take a break if you find yourself “lost in thought” while driving.
- Remember to focus on driving and avoid being distracted by people or objects outside your car.
- Do your personal grooming at home, not in the car.
- Pets can be distracting and should be in a carrier.
- Monitor traffic conditions before engaging in activities that could divert attention away from driving.

Dealing with Emotions

Emotions can have a great affect on safe driving. You may not be able to drive well if you are overly worried, excited, afraid, or depressed. Here are some tips to help you deal with your emotions:

- If you are angry or excited, give yourself time to cool off. If necessary take a short walk, but stay off the road until you have calmed down.
- If you are worried or upset about something, try to keep your mind on your driving. Some find listening to the radio helps in these situations.
- If you are impatient, give yourself some extra time for your driving trip. Leave a few minutes early. If you have plenty of time, you are less likely to speed or commit other traffic infractions, which may result in a ticket or a crash.

Dealing with Cell Phones

Cellular telephones are everywhere and in an emergency, they can be a lifesaver. However, they can also be distracting. If using the phone is essential while driving, below are some tips to help you do so in a safe and reasonable manner:

- Recognize that driving requires your full attention.
- Before you get behind the wheel, familiarize yourself with the features of your cell phone.
- Use your cell phone only if it is absolutely necessary.
- If you must use your phone, do so at a safe time and place.
- Ask a passenger in the car to place the call for you, and, if possible, speak in your place.
- Use the message-taking function on your cell phone and return calls when stopped at a safe location.
- Plan your conversation in advance and keep it short, especially in heavy traffic and hazardous weather conditions.
- Inform the person you are calling that you are speaking from the car.
- Secure your phone in the car so that it does not become a projectile in a crash.

Sources (1) *Driver’s Manuals from California, Delaware, Michigan, New Jersey and Wisconsin.* (2) *AAA’s Stay Focused: Keep your mind on the road.* (3) *AAA’s Drive Safer, Talk Later: The AAA Guide to Cell Phones and Driving.*

NOTES



CURBING DISTRACTED DRIVING

2010 Survey of State
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