

**STATEMENT OF
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BEFORE THE
SUBCOMMITTEE ON COMMERCE, TRADE, AND CONSUMER
PROTECTION
AND THE
SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, AND THE
INTERNET
COMMITTEE ON ENERGY AND COMMERCE
U.S. HOUSE OF REPRESENTATIVES**

**HEARING ON
DRIVEN TO DISTRACTION:
WIRELESS DEVICES AND VEHICLE SAFETY**

November 4, 2009

Chairman Rush, Chairman Boucher, Ranking Members Radanovich and Stearns, and Members of the Committee:

Thank you for the opportunity to appear before you today to discuss the important issue of distracted driving.

Transportation safety is the Department's highest priority. Distracted driving is a dangerous practice that has become a deadly epidemic. Our research shows that unless we take action now, the problem is only going to get worse, especially among our Nation's youngest drivers. This trend distresses me deeply, and I am personally committed to reducing the number of injuries and fatalities caused by distracted driving.

Four weeks ago, the Department of Transportation (DOT) hosted a Summit to help us identify, target and tackle the fundamental elements of this problem. We brought together over 300 experts in safety, transportation research, regulatory affairs, and law enforcement. More than 5,000 people from 50 States and a dozen countries also participated in the summit via the web. We heard from several young adults who had engaged in distracted driving and who discussed the terrible consequences of their actions.

We also heard from several victims of this behavior, whose lives have been changed forever. Mothers and fathers who lost children, and children who

lost a parent, told us their stories. And I want you to know, I promised these families that I would make this issue my cause.

The unanimous conclusion of the Summit participants is that distracted driving is a serious and ongoing threat to safety. This conclusion is borne out by the facts. Our latest research shows that nearly 6,000 people died last year in crashes involving a distracted driver, and more than half a million people were injured.

This is not a problem caused by just a few negligent drivers. To the contrary, the AAA Foundation for Traffic Safety, a nonprofit educational and research organization, reports that 67 percent of drivers admitted to talking on their cell phones within the last 30 days while behind the wheel, and 21 percent of drivers indicated they had read or sent a text or e-mail message, a figure that rose to 40 percent for those drivers under the age of 35.

As shocking as these numbers are, it is clear that this problem is only getting worse, and that the youngest Americans are most at-risk. While the worst offenders may be the youngest, they are not alone. On any given day last year, an estimated 800,000 vehicles were driven by someone who used a hand-held cell phone at some point during their drive. People of all ages are using a variety of hand-held devices, such as cell phones, personal digital assistants, and navigation devices, when they are behind the wheel. However, the problem is not just confined to vehicles on our roads -- it affects all modes of transportation.

Experts agree that there are three types of distraction: (1) visual – taking your eyes off the road; (2) manual – taking your hands off the wheel; and (3) cognitive – taking your mind off the road. While all distractions can adversely impact safety, texting is the most egregious because it involves all three types of distraction. In the words of Dr. John Lee of the University of Wisconsin, this produces a “perfect storm.”

For all of these reasons, at the conclusion of the Summit I announced a series of concrete actions that the Obama Administration and DOT are taking to put an end to distracted driving.

The President’s Executive Order banning texting and driving for Federal employees is the cornerstone of these efforts and sends a strong, unequivocal

signal to the American public that distracted driving is dangerous and unacceptable. The Executive Order prohibits Federal employees from engaging in text messaging:

- While driving government-owned vehicles;
- When using electronic equipment supplied by the government while driving; and
- While driving privately-owned vehicles when on official government business.

The ban takes effect government-wide on December 30, 2009. However, I have already advised all 58,000 DOT employees that they are expected to comply with the Order immediately. DOT is also working internally to formalize compliance and enforcement measures, and we are, in close consultation with the General Services Administration and the Office of Personnel Management, providing leadership and assistance to other executive branch agencies to ensure full compliance with the Executive Order by all Federal departments and agencies, no later than December 30.

DOT is also taking other concrete actions to reduce distracted driving across all modes. For instance, one year ago, we issued an emergency order banning texting and cell phone use by locomotive engineers throughout the rail industry. We are taking the next step by initiating three rulemakings:

- One to codify restrictions on the use of cell phones and other electronic devices in rail operations;
- One to consider banning text messaging and restricting the use of cell phones by truck and interstate bus operators while operating vehicles;
- And a third to disqualify school bus drivers convicted of texting while driving from maintaining their commercial driver's licenses.

We will work aggressively and quickly to evaluate regulatory options and initiate rulemakings as appropriate.

Moreover, our State and local partners are keys to any success we have in addressing distracted driving. I have encouraged our State and local

government partners to reduce fatalities and crashes by identifying ways that States can address distracted driving in their Strategic Highway Safety Plans and Commercial Vehicle Safety Plans. And, to assist them in their efforts, I have directed DOT to develop model laws with tough enforcement features for all modes of transportation.

There are other affirmative measures that States can take immediately to reduce the risks of distracted driving. For example, we continue to encourage the installation of rumble strips along roads as an effective way to get the attention of distracted drivers before they deviate from the roadway.

Education, awareness and outreach programs also are essential elements of our action plan. These measures include targeted outreach campaigns to inform key audiences about the dangers of distracted driving, and taking high visibility enforcement actions. We are still researching the efficacy of combining high visibility enforcement with outreach campaigns in the distracted driving context, but we are hopeful that such efforts may prove effective in the same way that we have been able to use them to reduce drunk driving and increase seat belt use. The Department has awarded demonstration programs in two States that have handheld cell phone laws - - New York and Connecticut -- to test approaches for using the high visibility law enforcement model to affect community attitudes about the seriousness of distracted driving and compliance with their laws. We will be evaluating media messages and law enforcement techniques and anticipate having results to share with other States in about 18 months.

Due to the complexity of this problem, there will be an ongoing effort to obtain better data and conduct targeted research. We are now developing a plan that will standardize the Department's data collection, collect data from a large scale naturalistic driving study, and look into how intelligent transportation systems and other technologies may be helpful in combating distraction and keeping the driver safe.

All of these measures are the beginning, not the end, to solving the problem of distracted driving. DOT will continue to work closely with all stakeholders to collect and evaluate comprehensive distracted driving-related data needed to better understand the risks and identify effective solutions. And the Administration will continue to work with Congress, State and local governments, industry and the public to end the dangers posed by distracted driving and encourage good decisionmaking by drivers of all ages. We may

not be able to break everyone of their bad habits – but we are going to raise awareness and sharpen the consequences.

I particularly want to thank Congress for its dedication to combating distracted driving, and I look forward to further collaboration with you as we work to tackle this menace to society.

That concludes my testimony. I look forward to answering your questions.