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STATE DISTRACTED DRIVING POLICIES AND PRACTICES

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You asked for a summary of how states, including Connecticut, are trying to reduce the incidence of drivers' texting or using cell phones (distracted driving). Much of the following information is from a July 2013 Governors Highway Safety Association (GHSA) report: "[Distracted Driving: Survey of the States](#)," and a [November 2013 GHSA summary of state distracted driving laws](#).

SUMMARY

The states generally address distracted driving by banning specific distracted driving practices, identifying strategies for combatting distracted driving, collecting data on distracted driving-related crashes, and educating the public about its hazards.

GHSA, a nonprofit association representing state highway safety offices, surveyed its members about distracted driving in 2010 and in 2012. In 2012, 43 states said that they had increased their emphasis on distracted driving since the earlier survey. They did this by stepping up public education, tightening distracted driving laws, adding a distracted driving category to the information collected on crashes, reaching out to the public through social media, and other means.

According to GHSA, as of November 2013:

- 41 states, including Connecticut, banned texting for all drivers and six other states prohibited texting for novice drivers;
- 12 states, including Connecticut, banned drivers from using hand-held cell phones; and
- 37 states, including Connecticut, banned all cell phone use (hand-held or hands-free) by novice drivers.

BACKGROUND: INCIDENCE AND RISKS OF DISTRACTED DRIVING

According to the National Highway Traffic Safety Administration (NHTSA), 3,328 people were killed in distracted driving accidents in 2012, a slight decrease from 3,360 such fatalities in 2011. NHTSA estimated that 421,000 people were injured in these accidents in 2012, a 9% increase from the previous year.

Driving is an inherently risky activity. Anything that distracts a driver from paying attention to traffic and road conditions increases the risk. Distracted driving is not a new problem. Drivers may be distracted by animals in the road, by looking at a map, or by inserting a CD in a car's audio system. But the use of cell phones and other personal data devices has focused new attention on the dangers these devices pose when used while driving.

According to one study (<http://www.fmcsa.dot.gov/facts-research/research-technology/report/FMCSA-RRR-09-045.pdf>), sending or receiving a text message takes a driver's eyes off the road for an average of 4.6 seconds, the equivalent, at 55 mph, of driving the length of an entire football field. The study found that a driver's risk of crashing while texting was 23 times greater than when not texting.

In addition, texting or using a cell phone while driving not only diverts the driver's eyes from the road, but reduces the driver's ability to process what he or she does see (<http://www.psych.utah.edu/lab/appliedcognition/publications/distract-ionmultitasking.pdf>).

NHTSA's 2012 [National Survey on Distracted Driving Attitudes and Behaviors](#) found that 48% of those surveyed reported taking a cell phone call while driving. More than half of those who accepted calls continued to drive while talking on the phone.

The survey also found that 21% of people reported sending text messages or emails while driving, either occasionally or rarely. About one-third of the drivers who texted said they continued to drive while doing so.

DISTRACTED DRIVING LAWS

According to GHSA, 47 states have specific distracted driving laws. In addition, some states without specific laws have laws against careless, reckless, or inattentive driving. As of November, 2013:

- 41 states banned text messaging for all drivers and another six states prohibited texting for novice drivers;
- 12 states banned all drivers from using hand-held cell phones while driving; and
- 37 states banned all cell phone use by novice drivers.

Specific state distracted driving laws (attached) can be found at http://www.ghsa.org/html/stateinfo/laws/cellphone_laws.html.

Connecticut's cell phone law ([CGS § 14-296aa](#)) prohibits texting or using a hand-held cell phone while driving. The legislature last session specified that these activities are illegal even when a vehicle is stopped in traffic or at a traffic sign or signal ([PA 13-277 \(§ 10\)](#)). A first violation is punishable by a \$150 fine; a second violation by a \$300 fine; and each subsequent violation by a \$500 fine ([PA 13-271, § 37](#)).

ADDRESSING DISTRACTED DRIVING IN STATE HIGHWAY SAFETY PLANS

According to GHSA, 40 states addressed distracted driving in their federally-required strategic highway safety plans (SHSPs) in 2012, a 43% increase since 2010. States use SHSPs to identify critical highway safety needs and develop strategies to save lives and prevent injuries.

Connecticut was one of 10 states that did not address distracted driving in its SHSP in 2012, but it has since done so. The state Department of Transportation (DOT) revised Connecticut's SHSP in May 2013 to call for stepping up enforcement of distracted driving laws as well as increasing public awareness of, and changing motorists' attitudes towards, distracted driving. The revised SHSP is available at: <http://www.ct.gov/dot/lib/dot/documents/dsafety/shsp.pdf>.

Distracted driving is also addressed in another DOT document, the 2014 Highway Safety Plan, prepared by DOT's Highway Safety Office (HSO) (<http://www.distraction.gov/content/dot-action/enforcement.html>). This document states that the "Phone in One Hand, Ticket in the Other" texting enforcement pilot program now being conducted in the Danbury area will be used to identify successful texting enforcement strategies and reduce the incidence of distracted driving crashes (see OLR Report [2013-R-0096](#) for more information on this federally-funded initiative).

HSO says it can amend the Highway Safety Plan to further address distracted driving initiatives as new funding sources become available.

OBSTACLES TO ENFORCING DISTRACTED DRIVING LAWS

The GHSA survey asked states to identify obstacles they faced in enforcing their distracted driving laws.

A lack of funding was a common problem. Twenty-nine states said they lacked adequate funding for enforcement, 24 states cited a lack of funding for media outreach, and 22 states cited a lack of funding for public education.

Other obstacles mentioned by states were a lack of support by law enforcement (14 states) and a lack of support from the courts (six states). (Because effective enforcement of distracted driving laws involves the judicial system, seven states specifically educate judges on the problems of distracted driving.)

Some states noted the difficulty police have in ascertaining whether illegal distracted driving behavior is actually taking place. For example, police may (1) lack spotters or tall vehicles, such as SUVs, from which to spot cell phone use; (2) be unable to distinguish between people texting or using the cell phone for lawful purposes; or (3) find it difficult to estimate drivers' ages (in cases where a law applied only to younger drivers).

Connecticut identified four obstacles: the lack of (1) enforcement funding, (2) media outreach funding, (3) a distracted driving data collection system and (4) state-specific distracted driving research. According to HSO, the lack of timely, accurate crash data is a major obstacle to effective enforcement. HSO says this data is needed to identify problems and set performance goals, as required by federal law.

COLLECTING DISTRACTED DRIVING-RELATED CRASH DATA

According to GHSA, 46 states collected data pertaining to distracted driving crashes in their accident reports in 2012. However, the amount and type of data varied. A number of states simply noted that distracted driving contributed to a crash, while one state (Missouri) gave police a menu of distracted driving behaviors from which to choose (e.g., texting, eating or drinking, or grooming) in reporting an accident.

On average, states collected between four and five such “data elements,” although GHSA reported that 18 states planned to change or update how they collect distracted driving information.

Connecticut to Update its Data Collection Reporting Form

According to GHSA, Connecticut was one of four states (along with Alaska, Arizona, and New Hampshire) that did not collect any distracted driving data in 2012. But HSO says DOT plans to adopt a new, more comprehensive reporting form based on federal minimum crash code standards.

One problem with current state accident report forms, HSO says, is they do not allow police to list more than one contributing factor in a crash, and do not include distracted driving as such a factor. Unearthing information about distracted driving from current data therefore means spending a lot of time and effort examining the narratives of individual crash reports.

HSO says the new form, which would allow the state to capture information on distracted driving, could be in use starting January 1, 2015. Captured data elements would include, among others, texting, talking on either a hands-free or hand held cell phone, and other internal and external distractions (e.g., eating, drinking, or animals in the roadway).

PUBLIC EDUCATION

Forty-seven states, including Connecticut, educate the public about the dangers of distracted driving. States use a variety of ways to do this, including through social media (e.g., Facebook or Twitter). For example, Connecticut’s Highway Safety page on Facebook is at <https://www.facebook.com/#!/CThighwaysafety?fref=ts>. Other methods include educating teenagers about distracted driving through special programs, driver’s education courses, driver’s manuals, and the licensing exam.

EDUCATING TEENS ABOUT DISTRACTED DRIVING

Importance of Educating Teen Drivers

There are several benefits to educating teenage drivers about the dangers of distracted driving. For one thing, GHSA states, drivers younger than age 20 comprised the largest proportion (10%) of drivers who were distracted at the time of a crash in 2010, even though only 6.4% of drivers were in this age group.

Focusing on teen drivers is also important because teenagers are frequently the first to adopt new communications technology.

Educational Programs Aimed at Teen Drivers

In Connecticut, DOT and the Department of Motor Vehicles (DMV) have worked to educate young drivers about the hazards of distracted driving. For example, HSO has partnered with AT&T on the “It Can Wait” campaign at four high schools (http://www.att.com/Common/about_us/txtng_driving/att_twd_fact_sheet0512.pdf). This program includes showing a video about the consequences of distracted driving and allows students to use a simulator to learn about its potential dangers firsthand.

HSO says it has also brought the “Save a Life” tour to eight schools across the state in the past two years. This program uses speakers, video presentations, and simulators to educate students and young drivers about the dangers of distracted driving.

HSO also states that it partners with DMV in the annual “Teen Driver Safety Video Contest” to encourage teenagers to spread the message about the dangers of distracted driving.

Driver Education, Driver’s Manuals, and Licensing Exams

The GHSA survey found that 22 states, including Connecticut, make distracted driving a component of their driver education courses. Although we did not find a specific statutory or regulatory requirement that these courses include a distracted driving component, this information could be included under the more general requirement that instructors teach students about state motor vehicle laws and regulations and safe driving practices.

GHSA also found that 37 states included information on distracted driving in their driver's manuals, and 20 included questions on distracted driving in their licensing exams.

The legislature last session required DMV's driver's license knowledge test to include at least one question on distracted driving ([PA 13-277, \(§ 22\)](#)). In addition, DMV revised the state [Driver's Manual in September 2013](#) to include information on distracted driving.

PARTNERING WITH EMPLOYERS, COLLEGES AND UNIVERSITIES, AND PUBLIC-PRIVATE PARTNERSHIPS

The GHSA survey found that:

- 17 states worked with employers to educate their employees about distracted driving;
- 18 states, concerned about the lack of state-specific distracted driving research, were joining with colleges and universities to engage in such research; and
- 42 state highway safety offices were working with other state agencies or private organizations, such as the Ford Motor Company, State Farm Insurance, or the Allstate Foundation, to tackle distracted driving.

As noted above, the HSO in Connecticut teams with AT&T on the "It Can Wait" campaign. Travelers' Insurance sponsors the DMV's annual Teen Safe Driving Video contest (<https://www.travelers.com/personal-insurance/auto-insurance/dmv-teen-driving-contest/index.aspx>.)

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