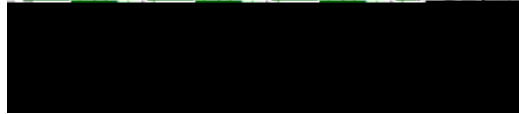




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James M. Jeffords
Vermont Legislative Research Service
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Distracted Driving

The use of cell phones is on the rise in the United States and lawmakers face the dilemma of whether to regulate cell phone use while driving. Compiling data on how many traffic accidents are caused by cell phone use is difficult—only 33 states and the District of Columbia require police to determine whether the driver involved in an accident was using a phone.¹

U.S. Government Data

Talking on cell phones, manipulating hand held phones, and text messaging are all classified by the U.S. Department of Transportation (DoT) as “driver distraction.” More generally, the U.S. DoT lists “three main types of distraction: visual, manual, and cognitive.” Using a cell phone is not the only way a driver can be distracted, as grooming, drinking and eating, and talking to passengers are also classified as distractions.²

The National Center for Statistics and Analysis of the National Highway Traffic Safety Administration (NHTSA) conducts an annual survey (entitled the National Occupant Protection Use Survey) that supplies “the only probability based observed data” on the use of cell phones while driving in the United States. In 2008, 261 people were killed; 5,870 of these people were injured. This is a 20% increase from 2004 to 2008. The age group with the highest

¹ National Conference of State Legislatures, “Cell Phone Use and Texting While Driving Laws,” November 12, 2009. Retrieved February 22, 2010 from <http://www.ncsl.org/default.aspx?TabId=17057>

² U.S. Department of Transportation, “Statistics and Facts about Distracted Driving,” Retrieved 22 February 2010 from <http://www.distraction.gov/stats-and-facts/>.

³ U.S. Department of Transportation, “Statistics and Facts about Distracted Driving.”

⁴ U.S. Department of Transportation, “Statistics and Facts about Distracted Driving.”

proportion of distracted drivers were under twenty followed by the twenty to twenty nine year old age group.⁵

Laws Regarding Distracted Driving

Restricting Hand Held Cell Phones

The risk associated with using a cell phone while driving has led a number of states to pass laws prohibiting drivers from using hand held cellular phones while driving. Currently there are six states that ban hand held cell phone use for all drivers and twenty one states and the District of Columbia

claim. Their focus was on the banning hand held devices not cell phone conversations; and, as the other research cited above does show that it is the act of talking on the phone that causes the problem, not whether one is holding the phone in one's hand.

While the research has yet to show that state bans on cell phone use have significantly decreased distracted driving and holding 5 0 Td <0003>Tj /TT0 1.395 0 _0 1 Tf 0 Tc 1.36 0 Td <00pvT

October 1, 2009, President Obama released Executive Order 13513, which prohibited federal employees from texting while driving federal government vehicles or on government business, as well as prohibiting federal employees from using electronic equipment, supplied by the federal government, while driving. Also in October, the U.S. Department of Transportation announced it would propose three new rules:

1. to ban the use of cell phones and electronic devices by rail operators;
2. to restrict cell phone use and ban text messaging by bus and truck drivers; and
3. to suspend the commercial driver's license of school bus drivers who are convicted of texting while driving.¹⁴

State Bans on Texting While Driving

Figure 1 shows which states have laws against text messaging and for which classes of drivers these laws apply. The states shaded in yellow represent those states that forbid novice drivers or school bus drivers from text messaging. The states shaded in green represent those states that have laws barring all drivers from text messaging. The definition of novice drivers ranges from state to state, but typically indicates ~~driver~~ ^{driver}

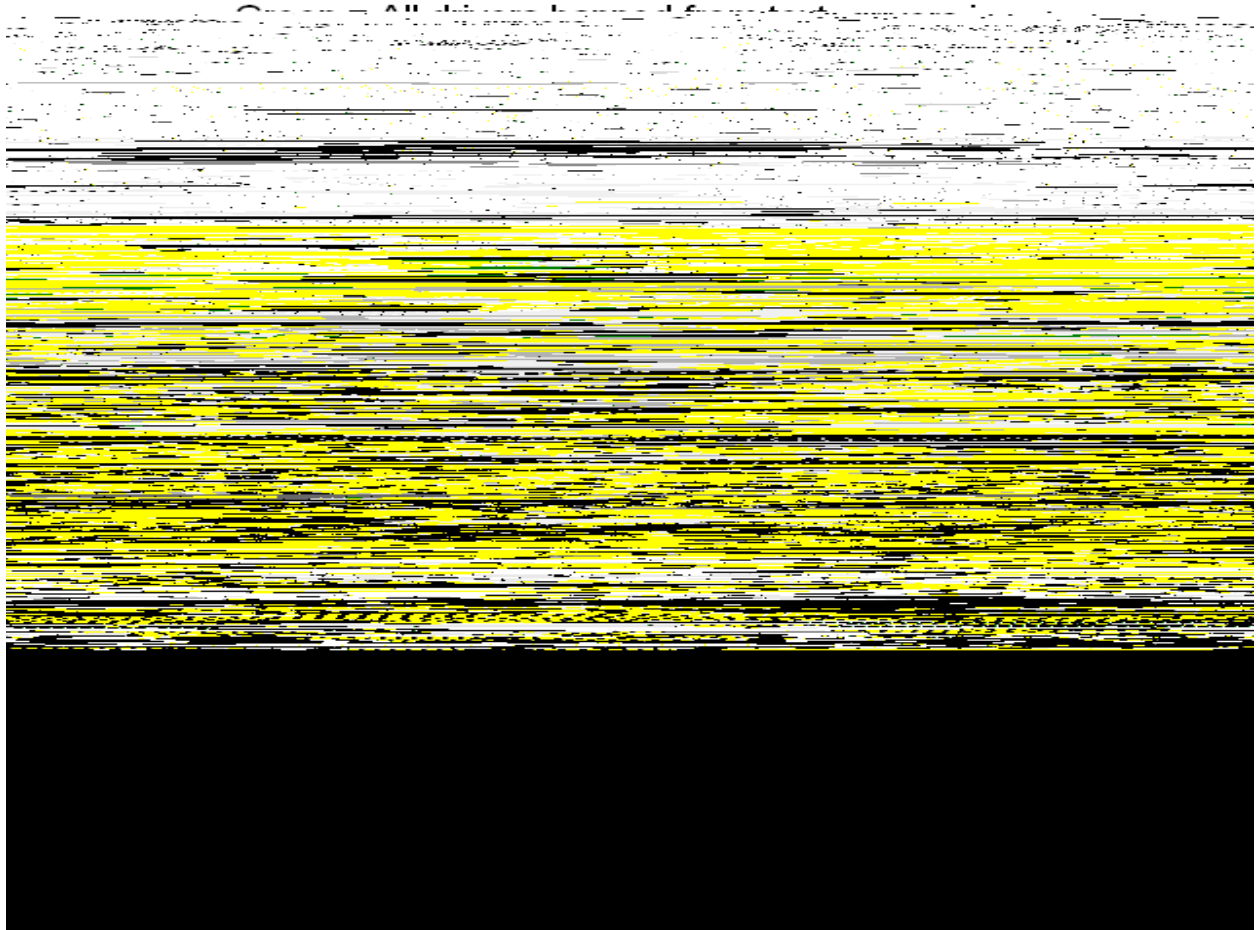


Figure 1: State Laws Banning Text Messaging

Sources: Adapted from the National Conference of State Legislatures, "Text Messaging While Driving," 2009. Retrieved February 22, 2010 from <http://www.ncsl.org/documents/transportation/distractdrivepostcard09.pdf>

Texting While Driving in Vermont

Recent data has shown that automobile accidents caused by the driver using their cell phones, especially when text messaging, have increased in recent years. According to the Vermont State Police, statewide texting related accidents have increased from twelve in 2007 to forty two in 2009. Three of the forty two accidents in 2009 resulted in death.¹⁸

A 2008 poll by Vlingo, a telecommunications company favoring a texting while driving ban,

¹⁸ Peter Hirshfield, "State Considers Texting-While Driving Ban," Rutland Herald.com, January 13, 2010. Retrieved February 22, 2010 from <http://www.rutlandherald.com/article/20100113/NEWS04/1130387/1004/NEWS03>.

found that nineteen percent of Vermont drivers admit to sending text messages while driving. Vermont has a lower than average texting while driving rate compared to other states. Out of all fifty states, Vermont had the third lowest rate of texting while driving in both 2008 and 2009. The national was about twenty six percent.¹⁹

Public and Professional Opinion

According to a New York Times/CBS poll, ninety seven percent of Americans support a ban on using cell phones while driving. This clearly means that there is an overlap of people there is

is hope people while driving. [http://www.nytimes.com/2009/03/25/us/politics/25cell.html](#)

Appendix A

State	Hand Held Ban	All Cell Phone Ban	Texting Ban
Alabama	No	No	No
Alaska	No	No	All Drivers
Arizona	No	Yes	No
Arkansas	No	School bus Drivers, Novice Drivers	All Drivers
California	All Drivers	School bus Drivers, Novice Drivers	All Drivers
Colorado	No	Novice Drivers	All Drivers
Connecticut	All Drivers	School bus Drivers, Novice Drivers	All Drivers
Delaware	No	School bus Drivers, Novice Drivers	Novice Drivers

South Dakota	No	No	No
Tennessee	No	School bus Drivers, Novice Drivers	All Drivers
Texas	No	School bus Drivers, Novice Drivers	Novice Drivers
Utah	No	No	All Drivers
Vermont	No	No	No
Virgin Islands	All Drivers	No	No
Virginia	No	School bus Drivers, Novice Drivers	All Drivers
Washington	All Drivers	No	All Drivers
West Virginia	No	Novice Drivers	Novice Drivers
Wisconsin	No	No	No