

BEFORE THE HOUSE TRANSPORTATION AND  
PUBLIC SAFETY COMMITTEE

TESTIMONY ON HOUSE BILL 95

MARCH 29, 2017

Chairman Green, Vice Chair Greenspan, Ranking Member Sheehy, and members of the committee; I am Ric Oxender of Oxender and Associates and am here today representing the Ohio Conference of AAA Clubs. The Ohio Conference is composed of the six AAA Clubs in Ohio, and represents over 2 million Ohioans, all constituents of yours.

AAA has been very involved with, and active in activities, legislation and studies dealing with distracted driving. We have been at the forefront of many issues including the ban on texting. The AAA Foundation for Traffic Safety has conducted numerous polls and studies on this distracted driving issue. Sadly, there is no one “magic bullet” to stop the carnage on our highways that is caused by distracted driving.

The largest percentage of crashes involving distracted driving has to do with what is recognized as “cognitive awareness”. This phrase means that doing specific activities while driving takes the drivers mind off the task at hand: driving. It is not so much holding a phone or changing radio stations, or taking one’s hand off the

wheel. It is the fact that when one is texting, talking, whether hands free or not, checking and reading emails, or checking traffic on a bluetooth device, the mind is not engaged in driving safely.

This legislation is helpful in that it does penalize drivers who commit a moving violation as a result of what the bill defines as distracted driving. It specifies certain uses of handheld communications devices, but does provide exceptions. It is in effect, secondary enforcement of distracted driving.

According to our most recent information, 46 states have texting bans and 14 states have handheld bans. Nearly all states (48) prohibit some form of distracted driving for teen drivers. However, state legislators are continuing to grapple with how to keep their laws current with the advent of new technology that is being added to vehicles today.

In 2015, there were a total of 32,166 fatal crashes in the United States involving 48,613 drivers. As a result of those fatal crashes, 35,092 people were killed.

In 2015, there were 3,196 fatal crashes that occurred on U.S. roadways that involved distraction (10% of all fatal crashes). These crashes involved 3,263 distracted drivers, as some crashes involved more than one distracted driver. Distraction was reported

for 7 percent (3,263 of 48,613) of the drivers involved in fatal crashes. In these distraction-affected crashes, 3,477 fatalities (10% of overall fatalities) occurred.

However, these statistics almost certainly underestimate the role of distraction in fatal crashes. NHTSA data relies on police crash reports, which aren't a reliable way to count cellphone-related collisions, because drivers often don't volunteer that they were on the phone and there is usually a lack of other evidence to determine drivers' phone use. Other sources report as many as 26 percent of motor vehicle crashes involve a distracted driver, and some in-depth studies suggest that the true percentage of crashes involving some form of driver distraction (including but not limited to use of electronics) may even be in excess of 50 percent.

The AAA Foundation for Traffic Safety found that driver interactions with voice-activated speech-to-text systems in new vehicles are a source of high levels of cognitive distraction— speech-to-text systems ranked 4 on a 5-point cognitive distraction scale.

And what of public opinion?

According to the AAA Foundation's 2017 Traffic Safety Culture Index:

81% of drivers view texting or emailing while driving as a very serious threat to their own personal safety and 78.2% consider it completely unacceptable.

However, nearly 1 in 3 (31.4%) admit to typing or sending a text message or email while driving in the past month, and 2 in 5 (40.2%) report reading a text message or email while driving in the past month.

Cell phone use while driving is widespread. More than 2 in 3 drivers report talking on their cell phone while driving in the past month, and nearly 1 in 3 say they do so fairly often or regularly.

There is fairly strong disapproval toward using a hand-held cell phone while driving (70.4%). People are more accepting of hands-free cell phone use than handheld (65.9% vs. 28.6%).

Therein lies a problem. Hands free or integrated systems do not dispel the cognitive awareness issue that communication devices provide.

We at AAA believe that anything we can do to eliminate the activities that cause distracted driving is a good first step. We are supportive of this bill. We do have concerns with how our law enforcement personnel can use the law

effectively to cite motorists for distracted driving. We will let them speak for themselves.

AAA supports a comprehensive approach to addressing distracted driving and believes any legislative or administrative proposal to address distracted driving should be based on sound research and/or fundamental safety principles and include a significant education effort. AAA believes that text messaging, emailing, or other manual manipulations of portable wireless devices for electronic data communication while driving should be made illegal.

Thank you Mr. Chairman for hearing from AAA. I will attempt to answer any questions you and your committee may have.