



## Ohio Senate Local Government, Public Safety and Veterans Affairs Committee

### *Senate Bill 285 Testimony*

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Chairman Manning, Vice Chair Brenner, Ranking Member Maharath, and members of the Senate Local Government, Public Safety and Veterans Affairs Committee - thank you for the opportunity to testify on behalf of Senate Bill 285.

As the Highway Safety Program Manager, I am here today representing the Ohio Department of Transportation and the Ohio Distracted Driving Taskforce to share our concerns about the growing use of mobile devices while driving, and why it's important to modernize Ohio's laws to keep pace with technology and prevent drivers from endangering others.

Most drivers today understand the dangers of drunk driving, speeding and driving without a seat belt, but many underestimate the danger of using a mobile phone or device while driving.

Drivers have long caused crashes by eating and drinking, talking to passengers and reaching for objects behind the wheel – but **it's the rapid adoption of mobile devices and our ability to access the internet "on the go" that present an increasing danger to Ohioans.**

No one leaves the house with the intent of killing or injuring someone while driving and using a device – yet increasingly it happens.

That's why two years ago, ODOT and the Ohio Department of Public Safety convened a Distracted Driving Task Force representing a broad range of interests including law enforcement, victims, highway safety advocates, engineers and educators. These stakeholders were charged with making recommendations to Ohio Governor Mike DeWine on how to reduce the growing number of traffic deaths, injuries and crashes caused by distracted driving in Ohio.

This morning I'll share key findings from the report.

**Crashes in Ohio have been rising despite safer vehicle technology.** Vehicles today are increasingly equipped with airbags, lane departure detection, blind spot detection, backing and side cameras, automatic braking and automated speed control. Yet traffic deaths in Ohio have risen five of the past six years and overall crashes are unusually high. Last year, there were 1,155 deaths and almost 300,000 crashes.

**Crashes have increased because more people are using mobile phones and other devices while driving.** In the old days, we worried about drivers texting and talking on the phone. Today we worry about drivers browsing the internet, playing games, and watching videos behind the wheel. Annual surveys conducted by the Pew Research Center show at least 96% of Americans own mobile phones and 81% own smart phones capable of complex, computer-like functions.

**Mobile devices are more dangerous than traditional distractions.** They take your eyes off the road and mind off driving, which slows a driver's reaction time to hazards. But the key is the complexity of their use. The more complex the mobile distraction, the slower the reaction time and the longer it takes your brain to refocus on driving.

**People continue to use the technology because it's addictive.** Technology today is designed to hook and maintain people's attention through push notifications and app design. Notifications, whether it's breaking news, emails, texts or a "like" on Facebook, trigger the release of a brain chemical called dopamine that makes people feel good, so they keep checking their phones.

**Distracted Driving endangers other people.** The official number of total distracted driving crashes last year was more than 12,000. If we included the category – "other, unknown" distraction - the number was over 37,000. However, the actual number of crashes is unknown. Current laws make distracted driving difficult to prove so these crashes often get attributed to something else.

**Drivers also underestimate the danger.** Yet we have more than a decade worth of research that says cell phone use significantly increases your risk of causing a crash.

More importantly, recent, comprehensive research by the Virginia Tech Transportation Institute have found that engaging in visual-manual tasks, such as reaching for a phone, dialing and texting with a hand-held or portable device, tripled the risk of a crash.

That's why many states have adopted or introduced primary, hands-free legislation like Senate Bill 285.

Among the benefits:

**States with primary, hands-free laws have seen reductions in traffic deaths.** Of the 15 states and the District of Columbia that have enacted these laws before 2018, 12 saw a decrease in their traffic fatality rates within two years after passing and enforcing these laws. Two states didn't have available data.

**Primary laws are more effective in changing driver behavior.** States with primary laws for seat belts have higher rates of seat belt use. A primary, hands-free law – well-communicated and enforced – could significantly reduce the number of people driving distracted on Ohio roads.

**Primary, hands-free is easier to enforce.** If you're holding a hand-held device you can be pulled over, warned or cited – correcting the behavior before it leads to a crash. Current laws are difficult to enforce because of exceptions and age requirements written into the law. Many of these challenges were documented in a law enforcement survey conducted by the Ohio State University on behalf of the Ohio Distracted Driving Task Force.

Ohio currently has two distracted driving laws – a traditional “texting and driving” law passed in 2012 and an enhanced penalty provision passed in 2018. While both laws are well-intentioned neither is well known, well defined or widely enforced.

That's why many states are modernizing their laws to clearly define what drivers can or cannot do with mobile devices. This allows states to define and prohibit the most dangerous driving distractions like video streaming, internet browsing and game app use.

I also want to note that an increasing number of Americans and law enforcement officers support hands-free laws.

Most drivers support laws against distracted driving, with almost 75% supporting laws against holding and talking on a cellphone while driving, according to a national survey released in June 2019 by the AAA Foundation for Traffic Safety.

Surveys recently conducted in states like Arizona, Georgia, North Carolina, Michigan and Tennessee have also shown that most citizens support passing hands-free laws to deter distracted driving behavior.

A 2019 survey of Ohio law enforcement documented strong support for primary enforcement of distracted driving laws, including support for hands-free. The survey was conducted by OSU for the Ohio Distracted Driving Task Force.

Strengthening distracted driving laws is popular because nearly every American has a story about a distracted driver or near-miss crash. Many drivers also recognize the addictive nature of their phones and want the motivation to put it down.

**A primary hands-free law could also save Ohio families and taxpayers money.**

In addition to the emotional loss, distracted driving is costly. Each traffic death costs Ohio about \$1.7 million and each serious injury \$157,000 in monetary losses associated with medical care, emergency services, property damage and lost productivity (ODOT). These costs are incurred by all Ohioans, not just the distracted driver.

Last year in Ohio there were 78,000 rear-end collisions – many caused by distracted driving. These crashes cost Ohioans time and money to repair vehicles and result in injuries that drive up everyone’s insurance costs.

Let me leave you with a final thought today. It’s one I’ve asked myself – which ultimately led to a change in my own driving behavior.

**Would you drive drunk?**

Most caring, responsible drivers would say “no.”

We all need to recognize that distracted drivers – while engaged in the behavior – exhibit similar behaviors to drunk drivers including slower reaction times, erratic speeds, weaving and sudden braking. All these factors can lead to a crash.

Distracted driving is ultimately a choice that endangers other people’s lives.

And like drunk driving, which came before it, clear, comprehensive laws backed by targeted enforcement and education will be needed to change driver behavior to prevent needless crashes and to save lives.

Thank you, Mr. Chairman and members of the committee, for your prompt attention to this important issue. I am happy to answer any questions you may have.