

BEFORE THE SENATE CRIMINAL JUSTICE COMMITTEE  
TESTIMONY ON S.B. 146  
JUNE 3, 2015

Chairman Eklund, Vice Chair Obhof, Ranking Member Thomas, 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 seven 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.

Allow me to present some data to you.

The National Highway Traffic Safety Administration (NHTSA) estimates that 3,328 people were killed in crashes involving distracted drivers in 2012, and an estimated 421,000 more were injured.

Ten percent of fatal crashes and 18 percent of injury crashes were reported as distraction-affected crashes.

Ten percent of all drivers 15-19 years old involved in fatal crashes were reported as “distracted” at the time of the crash; this age group has the largest proportion of drivers who were distracted.

NHTSA observational research found an average of five percent of drivers were holding cell phones to their ears while driving, translating to 660,000 vehicles driven by people holding hand-held cell phones at any given moment in 2012. The percent of drivers observed texting or visibly manipulating their handheld cellphone increased significantly from 1.3 percent in 2011 to 1.5 percent in 2012.

In 2013, more than two in three drivers (67.3 percent) reported talking on their cell phone (hand-held or hands-free) at least once in the past 30 days, with over half (61.1 percent) of those drivers using a handheld phone rather than hands-free device.

More than one in four (25.7 percent) drivers admitted to typing or sending a text message or email, and more than one in three (34.6 percent) reported reading a text message or email while driving at least once in the past month.

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.

I have provided to you a chart showing “Mental Distraction Levels by Task”. That chart in itself provides a startling view of what cognitive awareness is all about.

It appears obvious that the most dangerous form of distracted driving is attributable to communication devices.

And what of public opinion?

The majority of Americans (88.6 percent) feel that a driver talking on a cell phone represents a somewhat or a serious threat to their personal safety.

That proportion increases to 96.1 and 94.6 percent, respectively, with regards to drivers text messaging or emailing behind the wheel, and drivers checking or updating social media.

Nearly nine in ten (88 percent) people believe that distracted drivers are a somewhat or much bigger problem today compared to three years ago. Most drivers (69.6 percent) believe that when talking on a cell phone while driving, it is safer to use a hands-free device than a hand-held device.

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.

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