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CHANGING MINDS AND SAVING LIVES

Chairman Oelslager, Vice Chair Plummer, Ranking Member Crawley, and members of the House Finance Committee. Thank you for the opportunity to provide proponent testimony on House Bill 74, specifically the provisions related to distracted driving.

StopDistractions.org is a grassroots non-profit organization dedicated to eliminating the lifelong devastation that results when a loved one is killed or injured in a distracted driving crash. We bring together distracted driving victims, victim survivors, foundations and the general public to build awareness and recognition to this reckless behavior. We are the faces of distracted driving.

The proposed law will ban the use of hand-held cell phones while driving. You can still use gps and make & take calls hands-free. Hands-free laws give law enforcement and the public a clear interpretation of the law, if the phone is in your hand then you are in violation. No more grey areas or loopholes this law makes enforcement easy and possible.

Nationwide: 24 states + DC, Puerto Rico, Guam & the U.S. Virgin Islands have hands-free laws. 9 of these states have passed hands-free laws since 2018 pushed by growing and overwhelming public support driven by the families of victims building grassroots support throughout their communities. These crashes are a threat to public health now. They endanger lives and are costly to the entire family, community, and the state.

Results of Laws:

GA, MN, AZ, TN, ME, MA, VA, IN, and ID joined the list of the 24 states with hands-free laws since 2018. We already have seen decreases in some of the states that recently enacted their hands-free laws.

Georgia: enacted their law in July of 2018. After a 34% increase in fatal crashes from 2014-16 and a 12.6% insurance rate increase the Georgia legislature formed a study committee which issued a report concluding the need to pass hands-free legislation. The law went into effect on July 1, 2018. The day the law went into effect telematics data showed phone use by drivers (typing & swiping) went down 22% in the first month. There was also a 90-day grace period across most of the state where drivers mostly received warnings. After this law went into effect, traffic fatalities were down 3.4% from 2017-2018 which was the largest decrease in 10 years. There was a 15% reduction in commercial motor vehicle fatalities.

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Rural Populations:

To observe the effects of a hands-free law on a smaller/rural population we can look at Cherokee County, GA.

In 2017 they investigated 34 fatalities.

In 2018 they investigated 18 fatalities (the law went into effect July 1)

In 2019 they investigated 9 fatalities. (as of 12/19/2019)

Georgia Results statewide since enactment, July 1, 2018:

Fatalities down 4.5% since law in effect – adjusted for population & traffic, the number of fatalities for miles traveled is actually down 12%.

2019 reduction in fatalities by type:

30% reduction - bicyclists

11% reduction – pedestrians

10% reduction – ages 15-24

11% reduction – ages 25 – 65

11% reduction – intersections

12% reduction – lane departures

The Georgia Study Committee conducted an analysis of fatality data of the hands-free states and included it in their report with recommendations for a hands-free law and additional other measures. With hands-free laws: 12/15 states saw an average 16% reduction in fatal crashes within 2 years after their hands-free law passed. Six of the states and the District of Columbia saw a greater than 20% decrease in fatality rates. This comes from an analysis of NHTSA FARS data reported in the Georgia Study Committee Report.

Minnesota: recently enacted their hands-free law that went into effect on August 1, 2019.

Comparing 2018 -2019 distracted driving fatalities were down 2% and all fatalities were down 4.67%. The demographics of their citations also show it is all ages violating the law, this is not just a teen problem. It is all of us.

Tennessee: who enacted their hands-free law on July 1, 2019. Looking at the periods of July – Dec. 2018 compared to July – Dec. of 2019 – distracted driving crashes are down 3.84%. And as of Feb. 21, 2020 (before COVID) overall fatalities in the state were down 9.6% and crashes were down 4.1%.

Each state passing these laws is seeing reductions in crashes. This is why there is so much public support, we know the laws will work.

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The Stats/Why Support:

Our phones simply do so much more, at any time, from any location and we as drivers have a hard time ignoring them. The evolution of this technology has increased use by drivers. How drivers are using their phones is changing, people don't just talk and text, they facetime, watch Netflix, stream live, play games, etc. IIHS (Insurance Institute for Highway Safety) data shows 57% increase in drivers' manipulation of their phones – +15% shopping. The addictive nature of the tech is purposeful. App developers and social media create these experiences to addict us to make us continue to come back for more. Which often occurs behind the wheel.

Nowadays with the ways we use our phone changing so much texting laws are unenforceable and obsolete. It is too difficult to see what the driver is doing on their phone (texting, dialing, holding, etc) The laws are outdated and obsolete due to drivers taking the word texting literally. They claim they are not texting, instead they are snapchatting or on social media. We also have drivers live streaming and doing countless other dangerous activities on their phones that do not fit in the definition of texting anymore. This is why we need a simple with clear law + phone in hand you are in violation.

Telematics data now shows what drivers are actually doing while behind the wheel. BY analyzing this data they have seen increases in cell phone use by drivers year over. The COVID pandemic has escalated the problem on our roadways. Telematics data analyzed is now showing use of cell phones by drivers has gone up at least 38 - 50% as compared to before lockdowns.

Another consequence of distracted driving crashes and fatalities that we are all paying the price for is in our insurance costs. Our insurance rates going up. As one example, Georgia saw a 12.6% increase in insurance rates in the years before passing their hands-free law. It has been common nationwide for these rates to go up and since 2011, the average insurance premium has jumped 16%. Insurers are citing a "striking" correlation between the rise in smartphone use and crashes which is causing the sharp spike in rates. To counter that, in states we have recently passed hands-free laws we are seeing insurance rates stabilizing or declining in some cases up to 2.5%.

Public polling is showing widespread support across all constituencies nationwide. We all overwhelmingly support hands-free laws while driving. Public polling for Dems and Reps is at 88-93% support. Public sentiment has changed rapidly – the public overwhelmingly supports hands-free laws all across the nation. AS the headline says, "The public is finally at the point where they're fed up. They know this is a massive problem." At this point, everyone knows someone who has been impacted by a distracted driving tragedy, if not someone in our own

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family. Due to this epidemic touching so many families, broad coalitions are working together to spearhead the grassroots change needed to save lives and change behavior.

Cost:

The biggest objection we hear is that it will cost drivers money to comply with the law if they do not have Bluetooth in their car. This is not true. There is NO additional cost to comply. There are countless apps available for voice activation which are free (Apple – Siri, Google Voice, etc.) If you require a mount those can be found for very low costs of \$1-\$5.

Enforcement:

Key point on enforcement – enforcement tries to educate and changing culture, it's not about writing tickets, warnings are given in many instances. Most surprisingly is the public reaction when stopped is supportive. We as drivers know we need to get off our phones, we know we should focus on the road. Drivers are not upset when stopped either.

Many ask can law enforcement even enforce this law since they have not enforced the texting law? The answer is YES. Getting the phone out of the drivers hand clears up any loopholes. Plus this is not a new behavior. Police have had over a decade to perfect their training and enforcement of distracted driving laws and behaviors. Law enforcement has training developed already on how to enforce these laws. This is offered as a free course through NHTSA/DOT Traffic Safety Services. IACP (Intl. Assoc. of the Chiefs of Police) also has a toolkit for enforcement. And a specialized law enforcement training has been in development and should be available immediately.