

Distracted Driving and the Ban on Texting

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While it is difficult to determine the exact number of crashes caused by distracted driving, two recent Governors' Highway Safety Association (GHSA) studies that surveyed a number of research sources concluded that the range of the number of crashes caused by all types of distracted driving was between 15% and 30% of all crashes. Assuming the most conservative estimate, this would mean that *at least* 125 fatalities, 4000 injuries and 15,000 crashes are attributable to this cause per year in Alabama. Recognizing that the actual numbers could be as much as twice those given above presents a very alarming picture to the traffic safety community within Alabama.

According to the definition given by the National Highway Traffic Administration (NHTSA), distraction "is a specific type of inattention that occurs when drivers divert their attention away from the driving task to focus on another activity. These distractions can be from electronic devices, such as navigation systems and cell phones, or more conventional distractions such as interacting with passengers and eating." It is important to recognize that this is a *voluntary* diversion of attention away from driving to something not related to driving. Thus, making sure that a child does not run into the roadway is not considered distracted driving, nor would any roadway features encountered in driving, since the safe driver has no choice but to observe and address them.

The use of cell phones and texting are some of the worst distractions. Hands free cell phones help, but not as much as might be expected. The problem has little to do with the driver having both hands on the steering wheel; it has everything to do with occupying that part of the brain that is essential to safe driving. The ability to talk and listen synchronously compounds the problem. This was not a capability of CB radios that were so predominant in the 1960s and 70s. Most CB chatter had to do with routine road condition and police locations, and it eventually morphed heavily into *mindless* catchy phrases. Contrary to this, today's cell phone is often quite *mind-consuming*, in the sense of conducting business and family affairs. The epitome of this would be an argument between two closely related or associated people. In this case the entire brain gets poured into the phone and very little is left for the attention-intensive needs of driving.

Texting is even worse, since it calls for the driver to view, read and interpret text symbols, a task that is impossible without taking eyes off the road. Research has shown that the average duration of eye distraction from the road is about five seconds. A vehicle at highway speed of 55 MPH traverses the length of a football field in this amount of time. Average implies that for every instance below the average there would be another comparable to it above the average. So, for example, for every two-second text eye distraction, they would be one or more above five seconds to compensate, so at least half the time drivers are missing entire football field length

sections of roadway. It is certainly a wonder that more crashes do not occur given the number of people texting and using cell phones. It has been found that texting increases the chances of a crash by 23 times what it would normally be.

The Alabama legislature and Governor are to be commended for passing and signing the ban on texting while driving, which became effective August 1, 2012. While this is a difficult law to enforce, there are people who will refrain from the act simply to comply with the law or to avoid the possibility of being cited for it. The very fact that it is on the books makes texting while driving obvious grounds for contributory negligence. And, although officers may have a hard time detecting this offense before the fact, there is no problem at all in law enforcement or judicial authorities determining it from phone records after a crash, as has been borne out in several recent high-profile cases. So, texting is not only risky from the crash causation point of view, it is a major risk to the perpetrator's financial wellbeing.

The fine for texting while driving is \$25 for a first conviction, \$50 for a second conviction and \$75 for each later conviction. Probably more of a deterrent is the two points added to the driving record for each offense. Drivers' licenses are suspended for at least 60 days if you get 12 or more points in a two-year period.

Alabama was the thirty-seventh state to pass a texting while driving ban. Two other states have passed a ban since Alabama to bring the total to thirty-nine states. This demonstrates that states feel this issue warrants their strong attention. At the very least, the law enacted in Alabama should raise awareness of the serious dangers and consequences of texting while driving. A reduction in crashes, injuries and fatalities from distracted driving is the ultimate goal of this law, and a very worthy goal it is.

All references mentioned and used in this article are available at:

<http://www.safehomealabama.gov/InfoTraining/DistractedDriving.aspx>