



State of the Nation of cell phone distracted driving

FROM THE NATIONAL SAFETY COUNCIL

making our world safer®



A message from **our president**

Dear friend,

It has been three years since the National Safety Council first called for a ban on all cell phone use, handheld and hands-free, while driving. We came to this decision after consulting with many of our 20,000 corporate members and after an exhaustive review of the research. Even back in 2009, more than 50 published and peer-reviewed studies, some more than 10 years old, identified the risk of cell phone distracted driving. Researchers have used a variety of methods to compare driver performance while using hands-free and handheld phones. More than 30 studies have concluded that drivers experience substantial negative effects on their driving proficiency when using a cell phone, regardless of whether it is handheld or hands-free.

Cell phone distracted driving is a significant threat to public safety. Secretary of Transportation Ray LaHood has been, as he calls it, “on a rampage against distracted driving.” His leadership on this issue has led to a national discussion and increased awareness of this significant and emerging threat on our nation’s roadways.

The threat of cell phone distracted driving has captured the attention of numerous corporations, businesses, media outlets, including a Pulitzer Prize-winning series in *The New York Times*, and transportation safety agencies such as the National Transportation Safety Board. While progress has been made, much work still needs to be done. For that reason, NSC is renewing its call for a total cell phone ban for all motorists.

Progress during the last three years has come in the areas of legislation, law enforcement, corporate policies, technology and public opinion. This report shares some of that progress with you as well as the challenges that still lie ahead.

Transportation safety professionals know that education alone won’t change behaviors. It takes laws combined with increased education and high-visibility enforcement campaigns to successfully reduce the number of crashes, catastrophic injuries and deaths involving cell phone use while driving. We’ve seen this formula successfully applied with impaired driving and safety belt use. By following the same model, we can eliminate cell phone distracted driving and make our roadways safer for everyone.

Stay safe,

A handwritten signature in black ink that reads "Janet Froetscher".

Janet Froetscher
PRESIDENT & CEO



Introduction

Motor vehicle crashes killed nearly 33,000 people in 2010, according to the National Highway Traffic Safety Administration. Car crashes are among the top three causes of injury or death throughout a person's lifetime. They also are the #1 cause of work-related deaths. In addition to the thousands of fatalities occurring each year, about 3.5 million people suffer serious injuries in car crashes. The National Safety Council estimates that 24% of all motor vehicle crashes involve cell phone use. Although there can be many distractions in a vehicle, cell phone use by drivers is a particularly deadly threat, not because the activity is the most dangerous thing a driver can do, but because so many drivers are engaging in the behavior and for greater lengths of time. The combination of high risk and high exposure makes cell phone use while driving a top distraction.

Texting, emailing and surfing the Internet, although much riskier than talking on the phone, are less prevalent. NHTSA reports that less than 1% of Americans are handling an electronic device at any moment in time during daylight hours. This is one-twentieth the number of people who are seen talking on cell phones. If the prevalence of these activities increases, the actual number of crashes could skyrocket.



Making roads safer: A method for success

Eliminating cell phone distracted driving will take a combination of education, laws that are supported by high-visibility enforcement and technology. Public education alone will not significantly change behavior nor will a law without enforcement.

In 1981, after 15 years of education about safety belts, only 14% of Americans were wearing them. During the next 15 years, education combined with state safety belt laws increased the usage rate to 61%. In the last 15 years, high-visibility enforcement campaigns, combined with more and better belt laws, have increased the usage rate to 84%.

Education combined with laws and high-visibility enforcement is a method that has been proved successful in addressing transportation safety issues, and it should be used to address cell phone distracted driving.

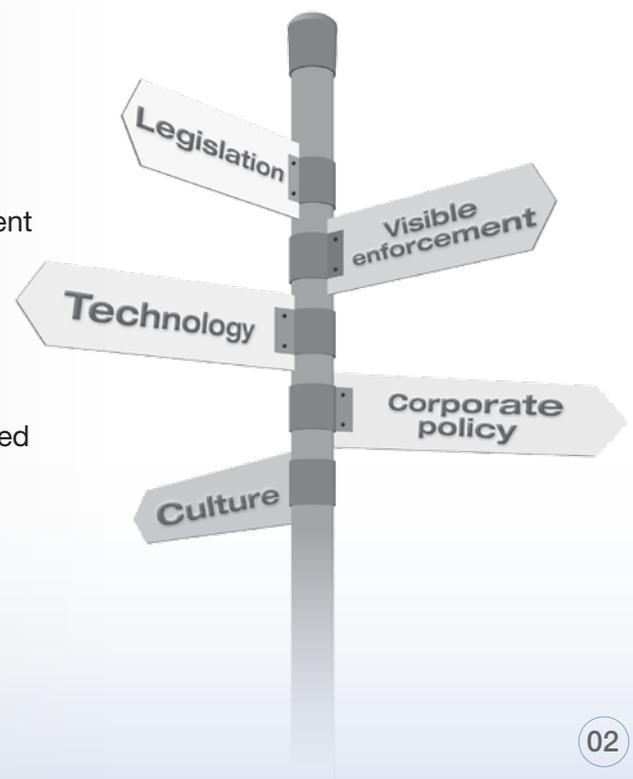


Table of contents



The scope of the problem 05

Legislative advances 06

High-visibility enforcement 07

Technological solutions 08

Corporate cell phone policies 09

Culture change 10

Helping the victims 11

When tragedy strikes

... Justin wasn't the kind to take risks

A good student and a standout athlete, Justin Martinez's social nature meant that staying connected via his cell phone was commonplace. Although he was a novice driver, Justin wasn't the kind to take risks.

Sadly, Justin didn't know the danger in which he put himself and others by using his cell phone while driving.

Suddenly, the soccer matches, football games and outdoor adventures were finished. The aspirations of a teen facing the most exciting years of his life vanished.

Like so many other motorists, Justin didn't know that his cell phone conversation made him four times as likely to crash. That's the problem with cognitive distraction. Engrossed in his cell phone conversation, Justin looked at his driving environment but did not see it. His mind was busy processing the conversation and had stopped processing what was happening on the road in front of him.

Data regarding the dangers of cell phone use while driving is extensive, and the names and faces of those killed in cell phone distracted driving crashes are painful reminders of the dangers facing every motorist on the roadways.

While driving in Harris County, TX, Justin answered his cell phone to talk with a friend on the night of July 20, 2011. The distraction of the 29-second cell phone conversation prevented Justin from seeing that the car in front of him was intending to turn without using its turning signal. Justin's friends, who were driving in the lane next to him, realized what was about to happen, and they began shouting out the window and honking the horn. But by the time Justin realized what was happening, it was too late. As he swerved to avoid rear-ending the vehicle in front of him, he careened into oncoming traffic and was T-boned by a white Mitsubishi. Justin was traveling at 47 mph and the Mitsubishi at 36 mph. Justin died at the scene of the crash, a little less than 200 yards from his home.

Justin Martinez

1992-2011



"I have experienced many things in my life but none as painful as arriving first on the scene and finding my son dead and having to keep my wife from seeing what no parent should ever have to."

Herbie, Justin's dad

The scope of the problem

Determining the scope of the cell phone distracted driving problem is a challenge. NHTSA and NSC believe the actual number of crashes involving cell phone distracted driving is higher, likely much higher, than reported figures. Numerous limitations affect the accurate recording of cell phone use in crashes, including:

- Driver reluctance to admit behavior – there is no “blood alcohol test” for distracted driving
- Inability for police to record cell phone use activity on police crash reports
- Lack of witnesses
- Death of distracted drivers in crashes, leaving no evidence of the distraction
- Time and resource limitations of law enforcement
- Difficulty obtaining cell phone records or knowing the precise time of the crash

In 2010 NHTSA unveiled a new way to measure fatalities involving distracted driving crashes in its Fatality Analysis Reporting System (FARS). As a result, federal numbers of fatalities were significantly lower in 2010 than they had been in 2009. The changes in measuring these crashes means FARS crash fatality data from 2010 cannot be compared to data from previous years.

Under-reporting

In 2010, NSC attempted to estimate the extent of under-reporting in FARS data of fatal crashes involving driver use of cell phones. NSC identified 121 fatal crashes in which driver cell phone use was identified by drivers, vehicle occupants, crash witnesses, law enforcement, lawsuit documentation or cell phone records.

Of these crashes, only 30% identified by NSC as involving cell phones were classified as “distracted driving” crashes in the reported statistics. Thus, about 70% of these crashes involving driver use of cell phones were not reflected as such in the annual figures. This review may provide a glimpse into the extent to which fatal cell phone distraction crashes may be under-reported in official local police, state and federal government reports.



Legislative advances

Since 2009, when NSC issued its call for a total ban, 29 states have enacted bans on texting while driving, and an additional 15 states have enacted total cell phone bans for young drivers. Ten states now ban the use of handheld devices while driving.

In states that have accompanied their laws with high-visibility enforcement strategies, hand-held use while driving has decreased. However, it is important to note that hands-free devices do not reduce the main risk of cell phone use while driving: the cognitive distraction that results from talking on the cell phone while driving.

Federal and state agencies

It is time for federal and state agencies to lead by example and implement distracted driving policies that prohibit all employee use of cell phones while driving. The NTSB and a few state agencies have implemented such a policy, but it is still acceptable for most federal and state employees to talk on the phone while driving. This is inconsistent with best practices in safety.

You can help

Public support has a significant role to play when it comes to legislation. The public can help get cell phone laws passed by contacting elected officials and asking for immediate and sustained support of cell phone legislation. NSC calls on legislators' immediate and sustained support for cell phone legislation to help make our roadways safer.

Positive federal developments

EXECUTIVE ORDER 13513 – President Obama issued Executive Order 13513 prohibiting all government employees and federal contractors from texting while driving government vehicles on official government business or while using government-supplied equipment.

MODEL TEXTING LEGISLATION DEVELOPED – In 2010, the U.S. DOT released a framework for states to implement laws prohibiting texting while driving. NSC was one of several safety organizations and industry groups brought together by the U.S. DOT to develop the model legislation.

FRA BAN – In September 2010, the Federal Railroad Association published a final rule banning the use of any electronic device by railroad operating employees.

FMCSA AND PHMSA BAN – In November 2011, the Federal Motor Carrier Safety Administration and the Pipeline and Hazardous Materials Safety Administration banned interstate commercial motor vehicle drivers and drivers of vehicles hauling hazardous materials from using electronic devices. Unfortunately, these bans provide an exception for hands-free use, which may limit the bans' effectiveness.

NTSB RECOMMENDATION – In December 2011, the National Transportation Safety Board recommended that states pass laws prohibiting drivers' use of mobile communication devices. This recommendation includes both handheld and hands-free cell phone use.

Main risk of cell phone use while driving:

Cognitive distraction that results from talking on the cell phone while driving





High-visibility enforcement

Because laws and education alone

do not go far enough in changing behavior, high-visibility enforcement campaigns are critical to make our roadways safer. Typically, these campaigns are conducted for a few weeks, several times a year.

High-visibility enforcement campaigns increase the perceived likelihood of a person being ticketed for noncompliance with the law. Evaluation of successful high-visibility enforcement campaigns has shown that when both communication and enforcement are combined in a single communications strategy, crash fatalities are reduced. Public knowledge of the existence of enforcement checkpoints are communicated through the media.

A successful pilot study

The goal of high-visibility enforcement is to encourage drivers to develop safe habits that reduce injuries and fatalities. In 2010, NHTSA tested the high-visibility enforcement concept to enforce texting and handheld cell phone laws in New York and Connecticut. An evaluation of the *Phone in One Hand, Ticket in the Other* campaign showed that the rate of cell phone use among drivers dropped significantly in both communities testing this campaign.

Syracuse experienced a 32% decrease in handheld phone use and texting. Hartford saw a 57% drop in handheld phone use and a 72% decrease in texting. NHTSA is now planning to expand this cell phone enforcement campaign nationwide.

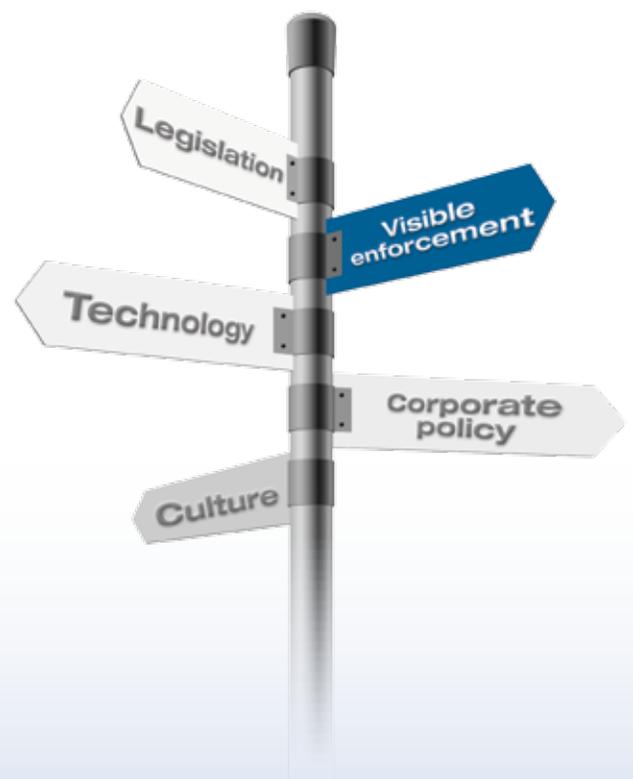


You can help

NSC encourages the public to write local law enforcement (city, county or state) agencies and cite the NHTSA campaign that proved high-visibility enforcement is an effective strategy for enforcing cell phone laws.

Role of law enforcement agencies

Law enforcement agencies that are successfully using high-visibility enforcement campaigns to combat cell phone distracted driving need to share their successes with other agencies. As shown in New York and Connecticut, high-visibility enforcement campaigns are an effective method for enforcing cell phone laws.



Technological solutions

Technology holds the potential to both increase and eliminate the threat of cell phone distracted driving. The recent rise of smart phone applications and Internet access is increasing concerns of distracted driving, with smart phone sales already accounting for one-third of all cell phone sales.

Surveys also show that even though drivers rank cell phone use among the most dangerous behaviors behind the wheel, most of these same drivers admit to using cell phones while driving.

Technologies that prevent incoming and outgoing calls and texts from reaching a driver's cell phone while driving offer a potential method to prevent crashes and injuries due to cell phone distracted driving. Providers such as Sprint, AT&T and other technology companies are starting to create products that safely manage electronic communications for drivers.

Here is how the method might work: Sue is trying to reach her friend Amy, who has subscribed to a distracted driving service offered by her wireless carrier. Sue immediately receives a message that Amy is driving. It then asks Sue if she would like to leave a message and informs her that her message will be delivered once Amy is no longer driving.

To be viable and to encourage adoption, these technologies must allow drivers to place 911 emergency calls, to use phones on public transportation, and to use their cell phones while they are passengers in a moving vehicle. The technologies also must not interfere with consumer expectations for their phones, such as battery life.

While some technologies help mitigate the cell phone distraction, others allow hands-free calling, which can encourage distracted driving. Many auto manufacturers equip vehicles with on-board systems that sync cell phones with the vehicle's computer system to offer a hands-free alternative. NSC encourages automakers to provide customers with the option to disable these hands-free features. Many parents of young drivers and corporations with "no cell phone driving" policies appreciate and are asking for this option.



You can help

It is difficult to always remember to silence or turn off a phone when getting behind the wheel. It is even more difficult to ignore a ringing phone or an inbound text or email. NSC recommends that drivers seek technology solutions that block all cell phone use except for emergency calls. Inform friends and family of the technology you have chosen to implement and suggest that they also give it a try.





Corporate cell phone policies

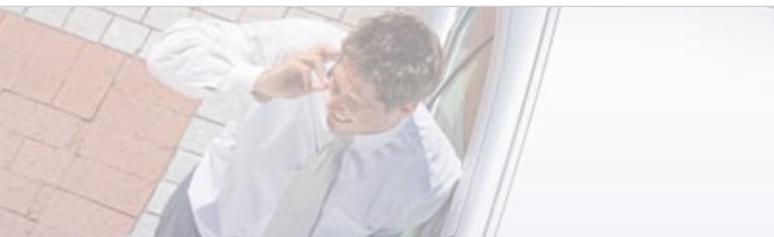
Employers are taking the lead in reducing cell phone distracted driving by enforcing cell phone policies within their organizations. According to a 2010 NSC survey of Fortune 500 companies, one in five respondents had instituted a policy banning cell phone use while driving. Additionally:

- 20% had total bans, covering more than 2 million employees
- 22% of companies with total bans – bans that include handheld and hands-free devices and apply to all employees – said they experienced decreases in crash rates and property damage, which indicates that such policies are effective
- When asked about productivity, only 7% said productivity decreased, while 19% thought productivity had actually increased

NSC recommends a best practice policy that prohibits all employees from using cell phones, even hands-free phones, while driving.

The bottom line

Companies incur significant expense when an employee is in a crash. According to NHTSA, a workplace crash costs an employer more than \$24,000. The cost increases to \$125,000 if the crash involves injury. All employers face ongoing liability, insurance, productivity and absenteeism costs. Companies have been required to pay jury awards and out-of-court settlements in the range of \$500,000 to \$21.6 million for employees who were involved in car crashes while using their cell phones.



NSC member survey

NSC surveyed 2,000 members in 2009 and found that 23% of those responding had total cell phone bans in place for their employees. Many of the policies had been implemented in the four years prior to the Council's call for a total ban. Of the members surveyed without policies, 36% planned to implement one within 12 months.

Impact on productivity

Of those who responded to the NSC member survey, only 1% indicated that they had experienced a decrease in employee productivity following the implementation of a ban. This is considerable evidence that total bans do not interfere with an employee's ability to conduct business as usual.



You can help

Organizations without a cell phone policy are encouraged to engage senior management and quickly move toward policy implementation. Employees can help initiate this process by alerting their managers to the dangers of cell phone use while driving and the need to protect employees.

NSC offers a **FREE** Cell Phone Policy Kit for organizations wanting to establish or strengthen a cell phone policy at distracteddriving.nsc.org.



Culture change

Public support for total cell phone bans has increased significantly. A 2011 AAA study found:

- 94% consider texting a very serious safety threat
- 87% feel cell phone use while driving causes distraction
- 88% feel drivers do not know how distracted they really are when using a cell phone
- 88% feel distracted driving can quickly lead to a crash

Sadly, while most drivers realize the dangers of cell phone distracted driving, many still engage in the behavior regardless of the perceived danger. Many drivers continue to operate under the assumption that “I can drive safely while using my phone, but other people cannot.” This type of thinking can be deadly.



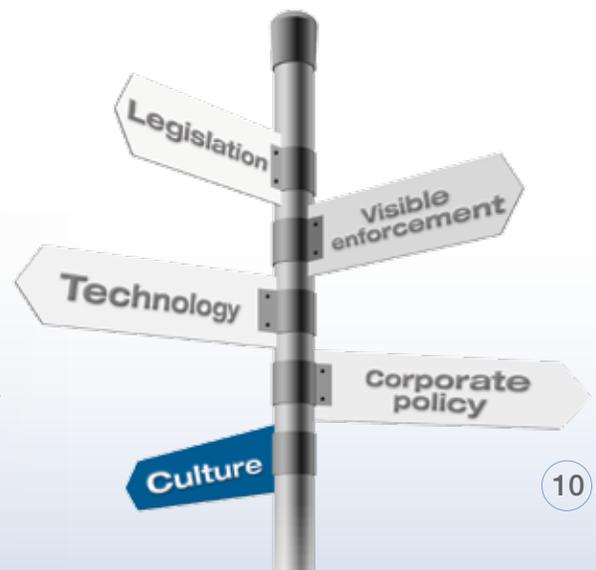
You can help

Everyone plays a role in making our roadways safer. Make a personal commitment to drive cell free, and if you have trouble doing so, use the technologies that are available to prevent cell phone use.

- Change your cell phone voicemail greeting to: “Hi, this is (name). I’m either away from my phone or currently driving. Please leave a message.”
- Tell people who call you while they are driving that you value their safety and will talk when they can do so safely
- Talk to family and friends about the dangers and encourage them to drive cell free
- Speak up when in the car with someone who uses a cell phone while driving
- Let people who transport children know that they should not use their cell phones while driving and that if driving without using a cell phone is not possible, to arrange for alternate transportation
- Contact elected officials and ask for their immediate and sustained support for cell phone laws

NSC encourages everyone to work with his or her employer to implement or strengthen the organization’s cell phone policy.

The time has come for everyone to take personal responsibility for his or her safety and for the safety of others on our roadways.



Helping the victims

After issuing the call for a total ban,

NSC was contacted by numerous families affected by this issue. In January 2010, Secretary of Transportation Ray LaHood called a press conference and together with the National Safety Council and several committed families of victims, launched FocusDriven – Advocates for Cell-Free Driving, the first national organization devoted to supporting victims of cell phone distracted driving and their families.

Erica Forney



"My daughter, Erica, was nicknamed 'Sunshine.' She had a presence and smile that would light up a room. She was known for her knock-knock jokes and funny faces. She loved to draw and wanted to be an artist when she grew up."

Shelley, Erica's mom

FocusDriven provides:

EMOTIONAL SUPPORT – Because each FocusDriven board member has experienced a loss due to cell phone use while driving, he or she is in a unique position to engage with these families.

ENGAGEMENT OPPORTUNITIES FOR SURVIVOR ADVOCATES – FocusDriven helps people share their stories in meaningful ways to change behaviors and help make roadways safer. A few of the ways survivor advocates engage with FocusDriven include:

- Sharing survivor advocate stories and education
- Participating in victim impact panels
- Meeting with elected officials to encourage them to support cell phone distracted driving legislation
- Speaking publicly at events such as school assemblies, summits, press conferences, etc.

To learn more, visit focusdriven.org.

Cady Reynolds



Cady's faith was strong and she reveled in connecting with other people her own age and adults. She was known for her warm hugs, her bright and beautiful eyes and her loving smile.

Rob, Cady's dad

Joe Teater



Joe was our youngest son. He was a seventh grader who was filled with a vibrant energy and passion for everything he did. He enjoyed computers, video games, school choir, church youth group and skiing. He was just getting caught up in the whirl-wind of middle school when his life was suddenly and violently taken.

Judy, Joe's mom

DRIVE
SAFELY

IN MEMORY

Conclusion

On Dec. 13, 2011, the National Transportation Safety Board recommended that all 50 states and the District of Columbia enact a complete ban of all portable electronic devices, including hands-free devices. This was the first time a government organization had called for a complete ban.

NTSB Chairwoman Deborah Hersman made the following statement:

“The data are clear; the time to act is now. How many more lives will be lost before we, as a society, change our attitudes about the deadliness of distractions?”

Cell phone distracted driving doesn't place just the driver engaging in the behavior in harm's way – it places everyone on our roadways in danger. To make our roadways safer, we all need to support efforts to pass cell phone legislation, deploy high-visibility enforcement campaigns, embrace cell phone blocking technology and implement corporate policies. These activities, along with the stories of those who have lost loved ones to this deadly epidemic, will help change what society currently considers acceptable behavior.

As a nation, we cannot accept that 100 people die every day on our roadways. Driving is a privilege that comes with enormous responsibility. The safety of drivers, passengers, other motorists, pedestrians and bicyclists is paramount to all else – and it should remain every driver's top priority. When on the road, we all need to get off the phone.





Resources

The New York Times - Pulitzer Prize-Winning Series, ***Driven to Distraction***, by Matt Richtel - http://topics.nytimes.com/top/news/technology/series/driven_to_distraction/index.html

National Traffic Safety Board Recommendation for a Complete Ban - <http://www.nts.gov/news/2011/111213.html>

NSC White Paper - ***Understanding the Distracted Brain: Why Driving While Using Hands-Free Cell Phones Is Risky Behavior*** - http://www.nsc.org/safety_road/Distracted_Driving/Documents/Dstrct_Drvng_White_Paper_1_2011.pdf

National Highway Traffic Safety Administration - Key Facts and Statistics for Distracted Driving <http://distraction.gov/content/get-the-facts/facts-and-statistics.html>

State Laws and Regulations - http://www.nsc.org/safety_road/Distracted_Driving/Pages/StateLaw.aspx

States with Texting Bans (map) - <http://www.iihs.org/laws/maptextingbans.aspx>

States with Handheld Bans (map) - <http://www.iihs.org/laws/maphandheldcellbans.aspx>

States with Bans for Young Drivers (map) - <http://www.iihs.org/laws/mapyoungcellbans.aspx>

NHTSA Reauthorization Bill a.k.a. 'Mariah's Act' - <http://www.govtrack.us/congress/billtext.xpd?bill=s112-1449>

U.S. Department of Transportation's Model Texting Legislation - <http://www.dot.gov/affairs/2010/dot3110.htm>

Executive Order to Reduce Text Messaging While Driving - <http://www.whitehouse.gov/the-press-office/executive-order-federal-leadership-reducing-text-messaging-while-driving>

Federal Railroad Agency's Electronic Device Distraction Summit Report - http://www.fra.dot.gov/downloads/safety/Distraction_NPRM_051810FR.pdf

Federal Motor Carrier Safety Administration's Restricts Handheld Use While Driving for Commercial Motor Vehicle operators - http://www.fmcsa.dot.gov/rules-regulations/administration/rulemakings/rule-programs/rule_making_details.aspx?ruleid=347

NHTSA Phone In One Hand, Ticket In the Other Campaign - <http://www.distraction.gov/content/dot-action/enforcement.html>

Federal Communications Commission Database of Products that Manage Electronic Communication Devices - <http://www.fcc.gov/encyclopedia/distracted-driving-information-clearinghouse>

Electronic Communication Device Technology Products Endorsed by NSC - http://www.nsc.org/safety_road/Distracted_Driving/Pages/TechnologySolutions.aspx

NSC 2009 Member Survey - http://www.nsc.org/safety_road/Distracted_Driving/Documents/Cell%20Phone%20Policy%20Survey%20Results.pdf

NSC Cell Phone Policy Kit (FREE download) - <http://shop.nsc.org/NSC-Cell-Phone-Policy-Kit-Downloadable-P2222.aspx>

NSC Employer Policies Webpage - http://www.nsc.org/safety_road/Distracted_Driving/Pages/EmployerPolicies.aspx

NSC Fortune 500 Survey - <http://www.nsc.org/Pages/Fortune500SurveyResults.aspx>

AAA Foundation for Traffic Safety Culture Index Reports - <http://www.aaafoundation.org/resources/index.cfm?button=research>





Resources (cont.)

The following resources were not mentioned in the report, but will be helpful to those who want to **learn more about cell phone distracted driving**.

FocusDriven-Advocates for Cell-Free Driving - <http://focusdriven.org/>

NSC Video Series "Understanding Distracted Driving" - <http://www.youtube.com/playlist?p=PL337F74DED367FDE7>

NSC Journal of Safety Research Suggests Drivers Overestimate Driving Skills and Underestimate Distraction - <http://www.sciencedirect.com/science/article/pii/S0001457507000905>

NSC Journal of Safety Research Study 'Is a Hands-Free Phone Safer than a Handheld Phone?' - <http://www.sciencedirect.com/science/article/pii/S0022437509000292>

NSC Website

Distracted driving main landing page - http://www.nsc.org/safety_road/Distracted_Driving/Pages/distracted_driving.aspx

Explaining cognitive distraction - http://www.nsc.org/safety_road/Distracted_Driving/Pages/CognitiveDistraction.aspx

Research and Facts - http://www.nsc.org/safety_road/Distracted_Driving/Pages/DistractedDrivingResearchandStatistics.aspx

Employer Policies - http://www.nsc.org/safety_road/Distracted_Driving/Pages/EmployerPolicies.aspx

Focus on the Drive e-newsletter - http://www.nsc.org/safety_road/Distracted_Driving/Pages/FocusontheDrive-archive.aspx

Important Terminology - http://www.nsc.org/safety_road/Distracted_Driving/Pages/TheAtoZofDD.aspx

Public Education - http://www.nsc.org/safety_road/Distracted_Driving/Pages/Public_Education.aspx

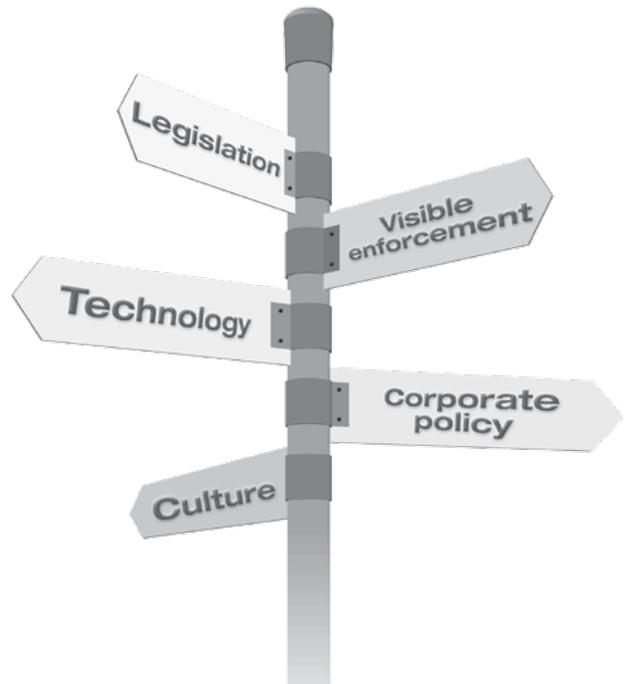
U.S. Secretary of Transportation Ray LaHood – FastLane Blog Posts:

Highly-Visible Enforcement - <http://fastlane.dot.gov/2011/07/nhtsa-study-shows-high-visibility-enforcement-cuts-distracted-driving.html>

Engineering Alone Will Not End Distracted Driving Epidemic - <http://fastlane.dot.gov/2010/09/engineering-alone-cannot-end-the-distracted-driving-epidemic.html>

DOT and Its Partners Will Continue Fighting Against Distracted Driving - <http://fastlane.dot.gov/2010/09/make-no-mistake-dot-and-its-safety-partners-will-continue-fighting-against-distracted-driving.html>

How Law Enforcement Officers Play a Critical Role in Traffic Safety - <http://fastlane.dot.gov/2011/03/law-enforcement-officers-a-critical-partner-in-traffic-safety.html>



National Safety Council

1121 Spring Lake Drive, Itasca, IL 60143
(800) 621-7615 • nsc.org

NSC Media Inquiries

Kathy Lane, Communications Director
(630) 775-2307 DIRECT • **(630) 542-6558** MOBILE
kathy.lane@nsc.org

Distracted Driving Topic Experts

David Teater, Sr. Director Transportation Initiatives
(630) 775-2036 DIRECT • **(616) 450-8911** MOBILE
david.teater@nsc.org

John Ulczycki, Group Vice President Strategic Initiatives
(630) 775-2160 DIRECT • **(847) 951-2847** MOBILE
john.ulczycki@nsc.org

