

# STOP DISTRACTIONS.ORG

CHANGING MINDS AND SAVING LIVES

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Proponent Testimony – SB 332  
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Senate Transportation Committee Chairman Peterson, Vice Chairman Claey, and other members of the committee;

StopDistractions.org supports SB332, an act concerning the regulation of traffic; prohibiting the use of a mobile telephone while operating in a school zone or in a road construction zone or by individuals under 18 years of age.

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.

### **This law is a good first step to eradicating distracted driving in Kansas:**

Banning cell phone use in school zones and work zones protects your most vulnerable citizens and is common-sense legislation. Hands-free laws make it known to the public the danger of using your phone while driving and give law enforcement and the public a clear interpretation of the law, if the phone is in your hand than you are in violation for areas with many vulnerable road users.

### **Nationwide:**

24 states + DC, Puerto Rico, Guam and the U.S. Virgin Islands currently have hands-free laws statewide. 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.

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## **Georgia:**

Georgia enacted their law in July of 2018. After a 34% increase in fatal crashes from 2014-16 and a 12.6% insurance rate. The day the law went into effect telematics data showed phone use by drivers (typing & swiping) went down 22% in the first month. 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.

## **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 7% in 18 months of law in effect with an estimated 150 lives saved since 2017.

## **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

- 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.

## **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.

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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.

## **Insurance Rates:**

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:**

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 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.

## **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 typically are not upset when stopped either.

Many ask can law enforcement even enforce this law since they have not enforced the texting laws? 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.