Distracted Driving

Driver distraction presents a serious and potentially deadly danger.

NAMIC supports efforts aimed at reducing the risks posed by distracted driving in order to arrest and reduce the increasing number of auto-related injuries and deaths each year.

Background

Distracted driving comes in various forms, such as cell phone use, texting while driving, eating, drinking, talking with passengers, as well as using in-vehicle technologies and portable electronic devices.

An increasing number of auto accidents are caused by the use of Blackberries, cell phones, iPhones, and iPods while driving and elected officials are beginning to take notice. At any given point, estimates are that 11 percent of drivers on the road are utilizing one of these devices, causing 6 percent of all crashes, resulting in an increasing number of injuries and deaths each year.

In the fall of 2009, the Department of Transportation held a two-day meeting on the issue of distracted driving. Days later, President Obama issued an executive order banning federal employees from text messaging while behind the wheel of a government vehicle and from texting in their own cars if using government-issued phones or on official business. This was a big step toward federal recognition of the emerging problem of text messaging or using a cell phone while driving.

Legislative History

There are differing approaches to addressing the issue of distracted driving at the federal level. One is to decrease the amount of federal funding available to a state that does not enact laws such as banning the use of cell phones while operating motor vehicles. There were three such pieces of legislation in the 111th Congress.

Another approach is to incentivize the adoption of state laws through awarding grants to states that enact laws against distracted driving. These grant funds could be utilized for public education and other traffic safety projects.
For example, the Distracted Driving Prevention Act would provide grants to states that enact a ban on texting while driving, require drivers to use a hands-free device, and prohibit drivers under 18 from using a cell phone while driving.

In June 2011, Rep. Carolyn McCarthy, D-N.Y., introduced H.R. 2333, the Safe Drivers Act. The bill directs the Secretary of Transportation to conduct a study of distracted driving. It adopts a sanction approach, requiring the Secretary to withhold 25% of a state's federal-aid highway program funds for the fiscal year if the state has not enacted or is not enforcing a law that: (1) prohibits, except in an emergency, an operator of a moving or idling motor vehicle on a public road from using a hand-held mobile device; and (2) requires, upon conviction of a violation of such prohibition, the imposition of certain minimum penalties. The legislation did not move out of the Transportation and Infrastructure Committee.

NAMIC expects similar congressional efforts in the 113th Congress and continues to raise awareness of the issue of distracted driving. The association will support federal legislation such as the Safe Drivers Act that would move states to adopt laws to reduce distractions on our roads and highways.

For more information on distracted driving go to http://www.namic.org/federal/fedissues.asp, or contact

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