

# DISCOURAGE DISTRACTED DRIVING

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Drivers engaging in actions which cause distraction jeopardize the safety of everyone on the roadways. Distracted driving can be defined as any time a driver diverts their attention while operating a motor vehicle. This may include external distractions such as sightseeing, or internal distractions such as cell phone use, texting, and viewing Advanced Driver Assistance Systems (ADAS). Additional examples include eating, adjusting audio, climate controls, and electronic devices, talking with people in your vehicle, and reading documents.

According to the National Highway Traffic Safety Administration (<https://www.nhtsa.gov/risky-driving/distracted-driving>) 2,841 people died in 2018, as a result of distracted driving due to cell phone use. This includes drivers, passengers, pedestrians and bicyclists.

Additionally, an estimated 128,000 were injured in 2019 due to distracted driving, while 1.6 million car crashes are caused by cell phone use in the U.S every year. The National Safety Council estimates 26% of all car crashes involve cell phones. New Smartphone features such as Do Not Disturb (DND) have potential to reduce distracted driving. 75% of drivers who use the DND feature believe this feature has made them safer drivers.

## THE DANGERS OF TEXTING

One of the prominent driving distractions is texting. Commercial motor vehicle drivers who text are 23.2 times more likely to be involved in a safety-critical event (e.g. crash or near crash), the Federal Motor Carrier Safety Administration (FMCSA) says. Other research has shown:

- At any given daylight moment across America, approximately 481,000 drivers are using cell phones or manipulating electronic devices while driving daily.
- Engaging in visual-manual subtasks (such as reaching for a phone or touch screen ADAS, dialing and texting) associated with the use of hand-held phones and other portable devices increased the risk of getting into a crash by three times.\*\*
- Sending or receiving a text takes a driver's eyes from the road for an average of 4.6 seconds, the equivalent at 55 mph driving the length of an entire football field, blind.\*\*
- Drivers 15-29 years of age make up 30% of all incidents/accidents for distracted driving using cell phones.
- Numerous studies indicate it is 6 more times dangerous to text when driving than driving while intoxicated.

## Best Practices

Nearly 1/3 of U.S. jobs require driving. Among the ways you can help your organization avoid accidents related to distracted driving, and the costly losses that are often associated with them, are taking the following five steps:

1. Familiarize yourself with federal, state, and local/municipal laws that apply to cell phone use and the operation of mobile devices.
2. Create or adjust your safety rules to incorporate a no tolerance policy for your organization.
3. Educate and provide training to your drivers on the dangers of distractions while driving.
4. Enforce your policy with a thoughtful corrective action/progression discipline policy.
5. Use Smartphone features (Do not Disturb) to disable calls/texts while driving. Learn more about how to incorporate these steps from your cell phone provider or reference material. There are also many Apps that can be installed on a smartphone to disable phone use while driving.

## Best Practices

### Step 1: Know The Law

Effective in 2012, the FMCSA banned the use of all handheld cell phones for drivers of commercial motor vehicles. In addition, most states have started to address this growing problem by enacting laws to restrict or prohibit hand-held cell phones. Twenty one states have banned hand-held cell phone use with primary enforcement laws, 48 states have banned text messaging for all drivers according to the Insurance Institute for Highway Safety 2019. The differences from state to state can be confusing. For example, New York bans all handheld devices and specifically bans texting, but some states currently don't ban anything. Individual state laws can be found at distraction.gov and Governors Highway Safety Association – GHSA.org (<https://www.ghsa.org/state-laws>). States continue to pass new laws.

It's important to understand the different rules and keep abreast of changing requirements. The best way to address this issue is to create a policy that is more stringent than any state law.

### Step 2: Create A Policy

Whether you have a staff of commercial licensed drivers who operate large tractors or simply have a fleet of pickup trucks, the first step in combating the growing issue of distracted driving is to create a company policy that prohibits the use of all hand-held devices while driving. Such a policy allows for a clear understanding of where your company stands on cell phone use, texting and the use of other devices. A well-written policy will set boundaries for drivers and potentially help provide a defense in the event of litigation. Establish restrictions on when and how cell phones and other communication devices can be used. Also include your position on the use of "hands-free" devices and various other types of distractions. The National Highway Traffic Safety Administration (NHTSA) has a policy statement and more information on their website ([www.nhtsa.gov/risky/research](http://www.nhtsa.gov/risky/research)).

### Step 3: Provide Training

Safety training for drivers can help establish a culture in which employees themselves help promote safe practices while behind the wheel. Establishing the expectation of what will be tolerated along with understanding the dangers of common driver distractions can result in fewer accidents and therefore reduce injuries while driving. Train all new employees. Initial training during the orientation process or a defined training period should include education on the dangers that exist when operating hand-held devices while driving. Clearly document your expectations and policies, and require a signature acknowledgement from each employee. Support your distracted driving policies during your existing regular safety meetings. Safety meetings are one of the best opportunities to update your staff with new statistics, changes in policy and examples of rule violations. Finally, hold a post-incident review whenever a policy was believed to be violated. Include a combination of re-training and corrective action during the review.

### Step 4: Accountability And Enforcement

Enforcement is a vital piece of your policy. The FMCSA has published rules that restrict texting and the use of hand-held mobile devices by truck and bus drivers while operating a commercial motor vehicle. The FMCSA's rules have severe consequences for violations: Fines and Penalties – Texting while driving can result in driver disqualification by the Federal Motor Carrier Safety Administration which governs those drivers with DOT licenses and professional drivers. Penalties can be up to \$2,750 for drivers and up to \$11,000 for employers who allow or require drivers to use a hand-held communications device for texting while driving. This can impact the driver's future and livelihood. Don't limit your policies to commercial vehicles, but also address the driving of any vehicle while on company business.

Combined to work in concert with your distracted driving policy, your progressive discipline policy should include specific language directed to the use of hand-held devices while driving. What can you do to put teeth into your policy?

- Clearly communicate that using a hand-held device while driving will be prohibited and subject to discipline that may include termination.
- Establish that this is a strict, no tolerance plan of discipline.
- Communicate repercussions in writing and require your employees to acknowledge them with a signature.
- In simple terms: No REACHING; No HOLDING; No DIALING; No TEXTING; No READING.

\*\* Virginia Tech Transportation Institute, Updated Study Shines New Light On Phone Use While Driving – April 2013, original study 2009 – (<http://www.vt.edu/spotlight/achievement/2013-07-01-distracted/texting.html>) (<http://www.vtnews.vt.edu/articles/2009/07/2009-571.html>)  
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## RESOURCES

<https://www.nhtsa.gov/risky-driving/distracted-driving>

<https://www.ghsa.org/state-laws>

[www.nhtsa.gov/risky/researcharrivealivetour.com/unite/drunk-and-distracted-driving-statistics-for-2019safer-america.com/car-accident-statistics](http://www.nhtsa.gov/risky/researcharrivealivetour.com/unite/drunk-and-distracted-driving-statistics-for-2019safer-america.com/car-accident-statistics)

[www.safersys.org](http://www.safersys.org) –

Good source for checking D.O.T. records and regulations.

<https://www.ncsl.org/research/transportation/cellular-phone-use-and-texting-while-driving-laws.aspx>

“UDrive.UText.Upay – Campaign” is being pushed in many states.

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