



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY

May 26, 2021

The Honorable Rick Ward, Chair
The Honorable Patrick McMath, Vice Chair
Senate Committee on Transportation, Highways and Public Works
Louisiana State Legislature
P.O. Box 94183
Baton Rouge, Louisiana 70804

Dear Chair Ward and Vice Chair McMath:

Advocates for Highway and Auto Safety (Advocates), an alliance of consumer, safety, medical, public health and law enforcement groups, and insurance companies working together to pass highway and auto safety laws that prevent crashes, save lives, reduce injuries, and curb costs, urges you to support House Bill (HB) 565. This legislation will improve safety on Louisiana roads by broadening the current prohibition on drivers from using wireless communication devices to include distracting viewing of non-navigational content and manual use. Considering the prevalence of distracted driving crashes, this legislation is critical, responsive and timely.

In 2019, there were 727 traffic fatalities on Louisiana roads, according to the National Highway Traffic Safety Administration (NHTSA). Louisiana's *Destination Zero Deaths* initiative reports that distracted driving accounted for more than 20 percent of all fatalities and more than 33 percent of severe injuries the previous year.ⁱ Wireless communication device distraction, which includes manual, visual and cognitive components, is a serious issue contributing to crashes and deaths. The NHTSA noted that the percentage of drivers visibly manipulating hand-held devices while driving increased by 250 percent between 2009 and 2016. A NHTSA survey, *National Telephone Survey on Distracted Driving Attitudes and Behaviors – 2015*, found that twice as many respondents admitted to talking on a cell phone or texting when they were involved in a crash or a near crash in 2015 as compared to 2010. Additionally, a survey performed by Nationwide Insurance indicated that four out of ten respondents claimed to have been hit or nearly hit due to a distracted driver. The Insurance Institute for Highway Safety (IIHS) released a roadside survey in 2019 that found manipulation of devices while driving is up 57 percent over the prior 2014 survey while handheld use decreased.ⁱⁱ More can and should be done to eradicate driver distraction.

As wireless communication technology has developed from cellphones to smart phones, and the range of electronic communication platforms has significantly broadened to include apps, cameras, social media, gaming, etc., laws curbing driver distraction must be updated to keep pace with the technology and ensuing distraction. A 2016 survey conducted by State Farm found that accessing the internet, reading and updating social media networks on a cell phone while driving more than doubled from 2009 to 2016, and about 10 percent of those surveyed in 2016 were also playing games on a cell phone while driving.ⁱⁱⁱ

A 2021 report on distracted driving laws by the Transportation Research Board (TRB) recommends that state laws prohibit the use of “an electronic device to stream, record, or broadcast video. This includes when the device is used hands-free (mounted, affixed, or resting somewhere in the vehicle).”^{iv} Provisions in HB 565 to restrict use of the device for “[a]ccessing, viewing, posting, editing, or creating a video, photograph, or other image,” and “[a]ccessing, reading, viewing, composing, browsing, transmitting, saving or retrieving electronic data from any application or other media,” whether the device is handheld or dash mounted will help to curb visual distraction, and restrictions on handheld use will help curtail manual distraction.

The TRB report also recommended that state laws “be in effect at all times when the vehicle is traveling on public roads, this includes at stop lights and when temporarily slowed or stopped in traffic.”^v The AAA Foundation for Traffic Safety found that the use of devices while driving can result in mental distractions that can persist for up to 27 seconds after returning to the driving task.^{vi} According to research on driver cognitive distraction compiled by IIHS,^{vii} “researchers have found that brain activity associated with visual processing and attention is suppressed when drivers are cognitively distracted ([Bowyer et al., 2009](#); [Strayer et al., 2006](#); [Just et al., 2008](#)).” As a result, “cognitive distractions can lead to so-called ‘inattention blindness’ in which drivers fail to comprehend or process information from objects in the roadway even when they are looking at them ([Strayer et al., 2003](#)).” Limitations on handheld and hands-free device use and use while in a travel lane provided in HB 565 will help prevent drivers from taking their eyes off the road and their mind off the task of driving, while continuing to ensure that more extensive prohibitions on use are required for novice teen drivers.

Distracted driving not only results in crashes, deaths and injuries, but it also unnecessarily expends taxpayer dollars. Nationally, crashes in which at least one driver was identified as being distracted imposed an economic cost of \$40 billion in 2010.^{viii} Adjusted for inflation only, that amounts to \$48 billion in 2021 dollars.^{ix} In 2018 distracted driving crashes cost employers nearly \$19 billion.^x Traffic crashes cost Louisiana nearly \$5.7 billion each year.

Each distracted driving death and serious injury irrevocably changes the lives of families and communities in Louisiana and across the nation. We urge you to support HB 565, a critical measure to curb dangerous and deadly distracted driving.

Sincerely,



Catherine Chase
President

cc: Committee on Transportation, Highways and Public Works Members

ⁱ Destination Zero Deaths, Distracted Driving, available at: <http://www.destinationzerodeaths.com/?ViewFilter=Distracted>

ⁱⁱ IIHS, *Driver cellphone interactions increase 57 percent*, January 24, 2019.

ⁱⁱⁱ Texting While Driving Includes Growing Mobile Web Use, <https://www.statefarm.com/simple-insights/auto-and-vehicles/distracted-driving-includes-growing-mobile-web-use>.

^{iv} Using Electronic Devices While Driving: legislations and Enforcement Implications (2021), TRB, https://www.nap.edu/cart/download.cgi?record_id=26082

^v Ibid.

^{vi} AAA Newsroom, *New Hands-free Technologies Pose Hidden Dangers for Drivers*, October 22, 2015.

^{vii} IIHS HLDI, Topics, Distracted Driving, available here: <https://www.iihs.org/topics/distracted-driving>.

^{viii} The Economic and Societal Impact of Motor Vehicle Crashes, 2010 (Revised), NHTSA, May 2015 (Revised), DOT HS 812 013, available at <http://www-nrd.nhtsa.dot.gov/Pubs/812013.pdf>

^{ix} Bureau of Labor Statistics Inflation Calculator, available at https://www.bls.gov/data/inflation_calculator.htm

^x Cost of Motor Vehicle Crashes to Employers 2019, NETS, 2018 data expressed in 2019 \$, available at <https://trafficsafety.org/?ddownload=26813>