



ADVOCATES  
FOR HIGHWAY  
& AUTO SAFETY

February 22, 2022

The Honorable Mac McCutcheon, Speaker  
Alabama House of Representatives  
11 South Union Street  
Montgomery, Alabama 36130

Dear Speaker McCutcheon:

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) 24 to curb distracted driving, a persistent killer on our roads. While Alabama has taken steps to deter this deadly conduct by enacting a prohibition on texting behind the wheel and on the use of devices by novice, young drivers, more can and should be done to reduce the prevalence of visual, manual and cognitive driver distraction caused by device use.

The National Highway Traffic Safety Administration (NHTSA) reported that 731 people died on Alabama roads in 2021, marking a 10 percent increase in traffic fatalities over 2020. Distracted driving is a major contributing factor to traffic crashes, and its incidence is known to be underreported. Wireless communication device 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. Expanding current distracted driving laws to more broadly curb manual use of devices, known as a hands-free requirement or a hand-held prohibition, and coupling this measure with provisions to also restrict distracting viewing of devices such as accessing the internet, reading and updating social media networks, video chatting and streaming video, can help to deter deadly device use behind the wheel. It also simplifies enforcement as police can curb hand-held device use and distracting viewing rather than limiting intervention to texting.

A 2021 [report](#), *Using Electronic Devices While Driving: Legislations and Enforcement Implications*, by the Transportation Research Board (TRB) comprehensively reviewed the issue of distracted driving and state distracted driving laws. The report identifies key components in a model distracted driving law including language banning texting (whether the device is hand-held or hands-free) and providing “more stringent restrictions for drivers under 18 years of age.”<sup>1</sup> Alabama’s law already includes and should retain these provisions. The report also identifies provisions that prohibit hand-held use of devices and 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).”<sup>2</sup> Alabama’s law should be upgraded to add these provisions. Additionally, the TRB report recommends 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.”<sup>3</sup> HB 24 revises the current distracted driving law to address these issues.

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<sup>1</sup> Using Electronic Devices While Driving: legislations and Enforcement Implications (2021), TRB, available at <https://www.nap.edu/catalog/26082/using-electronic-devices-while-driving-legislation-and-enforcement-implications>.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

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. According to research on driver cognitive distraction compiled by IIHS, “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 provided in HB 24 will help prevent drivers from taking their eyes off the road and their mind off the task of driving.

The public has a keen understanding about the issue of distracted driving and supports improvements to curb its incidence. A national public opinion poll, [ENGINE INSIGHTS using the CARAVAN Survey, December 15-19, 2021](#), found that: 98% are concerned about distracted driving with 84% “extremely” or “very” concerned;” concern about distracted driving is widespread among respondents by age, generation, region, political party, and type of community; and, a strong majority agrees that not enough is being done to reduce dangerous behavior on our roadways. Notably, this response was fairly consistent across political party (66 percent of Republicans, 64 percent of Democrats, and 73 percent of Independents).

Distracted driving not only results in crashes, deaths and injuries, but it also unnecessarily expends taxpayer dollars. Crashes in which at least one driver was identified as being distracted imposed an economic cost of \$40 billion in 2010.<sup>4</sup> Adjusted for inflation only, that amounts to \$48 billion in 2021 dollars. In 2018 distracted driving crashes cost employers nearly \$19 billion.<sup>5</sup> The annual economic costs of all crashes in Alabama are nearly \$5.4 billion (NHTSA) when adjusted for inflation.<sup>6</sup>

Each distracted driving death and serious injury irrevocably changes the lives of families and communities in Alabama and across the nation. We urge you to support HB 24, a critical measure to curb dangerous and deadly distracted driving.

Sincerely,



Catherine Chase  
President

cc: The Honorable Victor Gaston, Speaker Pro Tempore  
The Honorable Anthony Daniels, Minority Leader

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<sup>4</sup> 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>.

<sup>5</sup> Bureau of Labor Statistics Inflation Calculator, available at [https://www.bls.gov/data/inflation\\_calculator.htm](https://www.bls.gov/data/inflation_calculator.htm).

<sup>6</sup> Cost of Motor Vehicle Crashes to Employers 2019, NETS, 2018 data expressed in 2019 \$, available at <https://trafficsafety.org/?ddownload=26813>