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February 17, 2022

The Honorable Bart Rowland, Chair
The Honorable Derek Lewis, Vice Chair
House Standing Committee on Banking and Insurance
Kentucky General Assembly
702 Capital Avenue
Frankfort, Kentucky 40601

Dear Chair Rowland and Vice Chair Lewis:

Distracted driving is a known and persistent killer on our roads. Kentucky 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. Yet, more can and should be done to reduce the prevalence of visual, manual and cognitive driver distraction caused by device use. As representatives of leading safety organizations, we are united in urging you to support House Bill (HB) 258 and prioritize upgrading the state's distracted driving law.

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. HB 258 revises the current distracted driving law and addresses these issues.

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."ⁱ Kentucky'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)."ⁱⁱ Kentucky'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."ⁱⁱⁱ An upgrade in HB 258 would help to prevent use while in a lane of traffic.

The public has a keen understanding about the issue of distracted driving and supports improvements to curb its incidence as revealed by two new public opinion polls. A survey of Kentuckians, *Mason-Dixon Polling & Strategy, Inc., January 19-22, 2022*, noted the following results: 81% support requiring drivers to use hands-free, voice command technology to make calls and communicate; 88% would likely obey a hands-free law (very likely 73%, somewhat likely 15%); and, 64% believe that a properly enforced hands-free law would decrease crashes. 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).

In 2021, 794 people were killed on Kentucky roads according to the Kentucky Office of Highway Safety. This marks a second tragic increase in traffic fatalities, following a rise of 48 lives lost in 2020 (780 people killed) over the prior year.^{iv} Kentucky families and visitors should not have to suffer these preventable losses when solutions are known and available. Taking action to upgrade the state’s distracted driving law is commonsense and timely.

Sincerely,

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StopDistractions.org

Rick Birt
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Kentucky Students Against Destructive Decisions

cc: House Standing Committee on Banking and Insurance Members

ⁱ Ibid.

ⁱⁱ Using Electronic Devices While Driving: Legislations and Enforcement Implications (2021), TRB, https://www.nap.edu/cart/download.cgi?record_id=26082

ⁱⁱⁱ Ibid.

^{iv} See here: <https://transportation.ky.gov/HighwaySafety/Pages/DailyFatalitySummary.aspx>