



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY



February 7, 2023

The Honorable Travis Fitzwater, Chair
The Honorable Justin Brown, Vice-Chair
Senate Committee on Transportation, Infrastructure and Public Safety
Missouri General Assembly
201 W. Capitol Avenue
Jefferson City, Missouri 65101

Dear Chair Fitzwater and Vice-Chair Brown:

As leading safety organizations working together to pass highway and auto safety laws that prevent crashes, deaths and injuries, and contain costs, we strongly encourage you to support Senate Bill (SB) 61, to improve the state's distracted driving law by prohibiting texting and manual use and establishing additional restrictions for novice young drivers to limit their risk behind the wheel.

Traffic fatalities are a serious public health concern in Missouri. In 2021, 1,016 Missourians died as a result of crashes in the state. The annual cost of motor vehicle crashes in Missouri is more than \$7.2 billion, with much of this cost borne by the state and taxpayers.ⁱ This serious issue merits urgent actions including to curb distracted driving, a leading cause of crashes and fatalities. Yet, Missouri is one of only two states (including Montana) that has yet to enact a texting ban for all drivers. More can and should be done to reduce the prevalence of visual, manual and cognitive driver distraction caused by device use.

Research has shown that because of the degree of cognitive distraction electronic communication devices cause, the behavior of drivers using mobile phones (whether hand-held or hands-free) is equivalent to the behavior of drivers at the threshold of the legal limit for alcohol (0.08 percent blood alcohol concentration).ⁱⁱ Using an electronic communication device to send a text while driving increases the risk of a safety-critical driving event (i.e., crash, near crash, crash-relevant conflict) by more than 23 times.ⁱⁱⁱ Wireless communication device technology has developed rapidly, 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.

In addition to all-driver bans on texting and further restrictions for young, novice drivers, distracted driving laws should prohibit manual use of devices, known as a hands-free requirement or a hand-held prohibition, and also restrict distracting viewing of devices while operating a vehicle. Distracted driving laws that prohibit both manual use and distracted viewing help to simplify enforcement, allowing police officers to enforce prohibitions for all drivers rather than limiting interventions to drivers under 21.

The Transportation Research Board (TRB) [report](#), *Using Electronic Devices While Driving: Legislation and Enforcement Implications*, 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.” SB 61 would upgrade Missouri's distracted driving law to extend the texting ban to all drivers and includes additional restrictions on device use by drivers under 18 years of age or who have an instruction permit or an intermediate license. 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).” Provisions in SB 61 prohibit viewing of electronic messages and diverting the driver’s attention from the operation of the vehicle. 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.”^{iv}

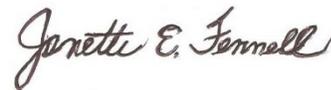
There is widespread concern about distracted driving across the U.S. A national public opinion poll conducted by the CARAVAN Survey in December 2021 found that 98% of respondents were concerned about distracted driving, with 84% “extremely” or “very” concerned.” Concern about distracted driving varied little by respondent age, region, political party, and type of community. Notably, a strong majority of Democrats (64 percent), Republicans (66 percent), and Independents (73 percent) indicated that not enough is being done to reduce dangerous behavior on our roadways.

In the first nine months of 2022, 777 people were killed on Missouri roads according to the National Highway Traffic Safety Administration (NHTSA).^v Missouri families and visitors should not suffer these preventable losses when solutions are known and available. SB 61 will implement commonsense solutions Missourians need to address the dangerous of distracted driving.

Sincerely,



Cathy Chase, President
Advocates for Highway and Auto Safety



Janette Fennell, Founder & President
Kids and Car Safety

cc: Senate Committee on Transportation, Infrastructure and Public Safety Members

ⁱ 2023 Roadmap to Safety, Advocates for Highway and Auto Safety, available at <https://saferoads.org/wp-content/uploads/2022/12/2023-Advocates-Report-online-interactive-fnl3.pdf>

ⁱⁱ Fatal Distraction? A Comparison of the Cell-Phone Driver and the Drunk Driver, Strayer, D.L., Drews, F.A., Crouch, D.J., University of Utah, Department of Psychology, available at <https://journals.sagepub.com/doi/10.1518/00187200677724471>

ⁱⁱⁱ What is Distracted Driving? Key Facts and Statistics, DOT NHTSA, citing Olson, R.L., Hanowski, R.J., Hickman, J.S., Bocanegra, J.; “Driver Distraction in Commercial Vehicle Operations”, VTTI, Sep. 2009, available at <https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/DriverDistractionStudy.pdf>.

^{iv} Ibid.