



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY

March 15, 2023

The Honorable Allen Treadaway, Chair
The Honorable Shane Stringer, Vice Chair
House Public Safety and Homeland Security Committee
Alabama Legislature
11 South Union Street
Montgomery, Alabama 36130

Dear Chair Treadaway and Vice Chair Stringer:

Advocates for Highway and Auto Safety (Advocates), an alliance of consumer, safety, law enforcement, medical and public health groups, and insurance companies and agents working to advance laws proven to prevent crashes, deaths and injuries on our roads and contain related costs urges you to support House Bill (HB) 8 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 further restricting use of devices by young novice 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 in the first nine months of 2022, the most recent period for which data is available, 738 people died on Alabama roads.ⁱ The Alabama Department of Transportation concluded that “based on 2021 data, typical drivers in Alabama have greater than a two in five chance of involvement in an injury or fatal crash operating a vehicle over their lifetimes.”ⁱⁱ It also determined that “[t]he probability of any given driver being in a crash of any severity during their lifetime is greater than 90%.”ⁱⁱⁱ Clearly the magnitude of this problem requires the advancement of proven countermeasures.

Distracted driving is a major contributing factor to traffic crashes in Alabama, with at least 49 traffic fatalities associated with distracted driving in 2021.^{iv} Moreover, it is important to note that the incidence of distracted driving in fatal traffic crashes is known to be underreported, and the number of reported crashes involving a distracted driver should be considered a conservative estimate at best.

Wireless communication device technology has rapidly developed and expanded, and drivers today have access to a broad and growing range of electronic devices. To effectively curb distracted driving, laws must cover the wide variety of electronic device communication options. HB 8 takes into account the varied distracting uses that drivers may engage in, “[w]atching, recording, or capturing a photograph or video,” in addition to text-based activities. These changes will result in a more comprehensive and effective distracted driving law and improved safety for Alabama’s road users.

By expanding Alabama’s current distracted driving law to more broadly curb manual use of devices (in the provision restricting use to “hands-free”) and restricting distracting viewing of devices, HB 8 will deter device use behind the wheel. HB 8 also will simplify enforcement by allowing police officers to curb hand-held device use and distracting viewing, rather than limiting intervention to texting.

A 2021 [report](#), *Using Electronic Devices While Driving: Legislation 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.”^v 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).”^{vi} 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.”^{vii} HB 8 revises the current distracted driving law to address these issues.

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.^{viii} According to research on driver cognitive distraction compiled by the Insurance Institute for Highway Safety (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 hand-held and hands-free device use provided in HB 8 will help prevent drivers from taking their eyes off the road and their mind off the task of driving.

The U.S. public is concerned about the issue of distracted driving and supports policies that would reduce its incidence. A national public opinion poll, conducted by *ENGINE INSIGHTS* using the *CARAVAN Survey, December 2021*, found that 98 percent are concerned about distracted driving with 84 percent “extremely” or “very” concerned. Concern about distracted driving is widespread among respondents, regardless of age, generation, political party, and type of community. A strong majority of Americans agree that not enough is being done to reduce dangerous behavior on our roadways.

Distracted driving not only results in crashes, deaths and injuries, but also in unnecessary financial costs borne by taxpayers. Crashes in which at least one driver was identified as being distracted imposed an economic cost of \$40 billion in 2010.^{ix} Adjusted for inflation only, this cost amounts to over \$55 billion in 2023 dollars. The economic cost of all crashes in Alabama surpassed an estimated \$6.4 billion in 2019.^x

Each distracted driving death and serious injury irrevocably changes the lives of families and communities in Alabama. We urge you to support HB 8, commonsense legislation that will prevent distracted driving and save lives in Alabama.

Sincerely,



Catherine Chase, President

cc: Members of the House Public Safety and Homeland Security Committee

ⁱ Traffic Safety Facts: Early Estimate of Motor Vehicle Traffic Fatalities for the First 9 Months (January-September) of 2022, National Highway Traffic Safety Administration (NHTSA), December 2022, DOT HS 813 406, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813406>

ⁱⁱ 2021 Crash Facts, Alabama Department of Transportation, available at: <https://drivesafealabama.org/uploads/files/ALDOT-CrashFacts2021.pdf>

ⁱⁱⁱ 2021 Crash Facts, Alabama Department of Transportation, available at: <https://drivesafealabama.org/uploads/files/ALDOT-CrashFacts2021.pdf>

^{iv} 2021 Crash Facts, Alabama Department of Transportation, available at: <https://drivesafealabama.org/uploads/files/ALDOT-CrashFacts2021.pdf>

^v 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>.

^{vi} 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>.

^{vii} 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>.

^{viii} New Hands-free Technologies Pose Hidden Dangers for Drivers, American Automobile Association (AAA), October 2015, available at [https://newsroom.aaa.com/2015/10/new-hands-free-technologies-pose-hidden-dangers-for-drivers/#:~:text=WASHINGTON%2C%20D.C.%20\(Oct.,AAA%20Foundation%20for%20Traffic%20Safety](https://newsroom.aaa.com/2015/10/new-hands-free-technologies-pose-hidden-dangers-for-drivers/#:~:text=WASHINGTON%2C%20D.C.%20(Oct.,AAA%20Foundation%20for%20Traffic%20Safety).

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

^x The Economic and Societal Impact of Motor Vehicle Crashes, 2019, NHTSA, February 2023, DOT HS 813 403, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>