



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY

February 23, 2024

The Honorable Mike Moser, Chairperson
The Honorable Barry DeKay, Vice Chairperson
Transportation and Telecommunications Committee
Nebraska Legislature
Post Office Box 94604
Lincoln, Nebraska 68509

Dear Chairperson Moser and Vice Chairperson DeKay:

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 contain costs, supports enactment of Legislative Bill (LB) 1340. This legislation will improve safety by upgrading the distracted driving law to primary enforcement including the restriction on use of electronic devices for novice drivers who are learning to drive through the graduated driver licensing (GDL) program. Current state law is secondary enforcement which significantly hinders law enforcement efforts as they are required to first observe another violation before stopping the driver for distracted driving. Considering the prevalence of distracted driving crashes, this legislation is critical and timely.

In 2022, there were an estimated 250 traffic fatalities in Nebraska according to the National Highway Traffic Safety Administration (NHTSA).ⁱ Distracted driving caused nearly 41,000 crashes, over 14,000 injuries, and 119 deaths in Nebraska from 2011-2020.ⁱⁱ It's important to note that distracted driving crashes are known to be underreported due to differences in police crash report coding, database limitations and other challenges.

Wireless communication device distraction, which includes manual, visual and cognitive components, is a serious issue contributing to crashes. The AAA Foundation for Traffic Safety found that the use of electronic devices while driving can result in mental distractions that persist for up to 27 seconds after returning to the driving task.ⁱⁱⁱ 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*)."^{iv} 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*)."

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 \$98.2 billion in 2019.^v In 2018 alone, distracted driving crashes cost employers nearly \$19 billion.^{vi} In Nebraska, the annual economic costs of all crashes are estimated to be \$1.7 billion amounting to a "crash tax" of \$892 on each Nebraska resident.^{vii}

Nebraska wisely prohibits young novice drivers from using electronic devices while operating a vehicle with a GDL license. Existing law recognizes the inexperience of and increased risks to novice drivers and helps to ensure they are focused on the driving task. American teenagers drive less than all but the oldest drivers, yet their number of crashes and crash deaths are disproportionately high.^{viii} Per mile driven, teen drivers have crash rates nearly four times higher than drivers aged 20 and older.^{ix} According to the Centers for Disease Control and Prevention (CDC), teens are more likely than older drivers to misjudge dangerous situations or not be able to recognize hazardous situations. Teens tend to speed, follow too closely, and underestimate speed and stopping distances. Young drivers, ages 15-20, also have the highest proportion of distraction-related fatal crashes.^x Moreover, compared with other age groups, teens have the lowest rate of seat belt use. Strengthening the law to primary

enforcement for all drivers, as proposed by LB 1340, will deter drivers from taking their eyes off the road and their mind off the task of driving.

Each distracted driving death and serious injury irrevocably changes the lives of families and communities in Nebraska and across the nation. We urge you to support LB 1340, a critical measure to curb dangerous and deadly distracted driving.

Sincerely,



Catherine Chase, President

cc: Transportation and Telecommunications Committee Members

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- ⁱ Early Estimates of Motor Vehicle Traffic Fatalities in 2022, NHTSA, Apr. 2023, DOT HS 813 428, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813428>.
 - ⁱⁱ Nebraska Department of Transportation Highway Safety Office (NDOT HSO). Nebraska Drivers Involved in Distracted Driving Crashes, available at: <https://dot.nebraska.gov/media/lytejvdp/dvrcell.pdf>.
 - ⁱⁱⁱ AAA Newsroom, *New Hands-free Technologies Pose Hidden Dangers for Drivers*, October 22, 2015, available [here](#).
 - ^{iv} IIHS HLDI, Topics, Distracted Driving, available at: <https://www.iihs.org/topics/distracted-driving>.
 - ^v The Economic and Societal Impact of Motor Vehicle Crashes, 2019, NHTSA, Feb. 2023, DOT HS 813 403, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.
 - ^{vi} Cost of Motor Vehicle Crashes to Employers 2019, NETS, 2018 data expressed in 2019 \$, available at <https://trafficsafety.org/?ddownload=26813>.
 - ^{vii} The Economic and Societal Impact of Motor Vehicle Crashes, 2019, NHTSA, Feb. 2023, DOT HS 813 403, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.
 - ^{viii} Insurance Institute for Highway Safety. 2013. [Unpublished analysis of 2008 data from the U.S. Department of Transportation's National Household Travel Survey, General Estimates System, and Fatality Analysis Reporting System].
 - ^{ix} Insurance Institute for Highway Safety (IIHS), Teenagers, available at <https://www.iihs.org/topics/teenagers#by-the-numbers>.
 - ^x Traffic Safety Facts Research Note: Distracted Driving 2021, NHTSA, May 2023, DOT HS 813 443, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813443>.