



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY

May 21, 2024

The Honorable Jeremy A. Cooney, Chair
The Honorable Peter Oberacker, Ranking Member
Senate Transportation Committee
New York State Senate
Legislative Office Building
Albany, New York 12248

Dear Chair Cooney and Ranking Member Oberacker:

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 Senate Bill (S.) 9559. This legislation will improve safety by prohibiting school bus drivers from using mobile telephones while driving when students are on board. Current law permits hands-free use of mobile devices. Hands-free is not distraction free and thereby places child passengers and other road users at risk when school bus drivers are distracted by their mobile device. Considering the prevalence of distracted driving crashes, this legislation is critical and timely.

In 2022, there were 1,175 traffic fatalities in New York according to the National Highway Traffic Safety Administration (NHTSA).ⁱ New York had 563 reported fatal crashes involving distracted driving from 2017-2021, placing it within the top ten states for the percentage of fatal crashes in which distracted driving was a factor.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), "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*)."

School bus related crashes resulted in the loss of nine lives in New York in 2022, and a third of these fatalities involved a distracted driver.^v Enacting S. 9559 will deter school bus drivers from mobile device use and keep their mind on the task of safely transporting school children.

Each distracted driving death and serious injury irrevocably changes the lives of families and communities in New York and across the nation. We urge you to support and advance S. 9559, a critical measure to curb dangerous and deadly distracted driving and keep precious school children and other road users safe.

Sincerely,

Catherine Chase, President

cc: Senate Transportation Committee Members

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- i State Traffic Safety Information for New York (2022), NHTSA, available at <https://cdan.dot.gov/stsi.htm>.
- ii “States with the highest rate of distracted driving deaths: Where does New York rank?” *Staten Island Advance*. (2023, May 8), available [here](#).
- 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 Injury Facts, School Bus Crashes, National Safety Council, available at <https://injuryfacts.nsc.org/motor-vehicle/road-users/school-bus/>.