



ADVOCATES  
FOR HIGHWAY  
& AUTO SAFETY

February 7, 2025

The Honorable Thomas Walsh, Chairman  
The Honorable Ted Gorski, Vice Chairman  
House Transportation Committee  
New Hampshire General Court  
107 North Main Street  
Concord, New Hampshire 03301

Dear Chairman Walsh and Vice Chairman Gorski:

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, opposes House Bill (HB) 411. This legislation will endanger New Hampshire residents by downgrading the distracted driving law to secondary enforcement. Current law is primary enforcement which allows law enforcement to stop distracted drivers without needing to first observe another traffic violation before stopping the driver for distracted driving. Considering the prevalence of distracted driving crashes, weakening the law to secondary enforcement would be a costly and deadly mistake.

In 2023, an estimated 129 people were killed in traffic crashes in New Hampshire,<sup>i</sup> a 36 percent increase in little under a decade.<sup>ii</sup> The State Office of Highway Safety estimates that distracted driving is a factor in 15 percent of crashes.<sup>iii</sup> Nationally in 2022, 3,308 people were killed in crashes involving a distracted driver, accounting for 8 percent of all crash fatalities.<sup>iv</sup> Nonoccupants (pedestrians, bicyclists and others) accounted for 19 percent (621) of distraction-affected fatalities in 2022.<sup>v</sup> An estimated 289,310 people were injured in distraction-affected crashes in 2022.<sup>vi</sup> 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.<sup>vii</sup> 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...”<sup>viii</sup> 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...”

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.<sup>ix</sup> In 2018 alone, distracted driving crashes cost employers nearly \$19 billion.<sup>x</sup> Additionally, the Granite State incurred \$1.67 billion in economic harm due to motor vehicle crashes which is equivalent to \$1,223 per resident according to a 2019 analysis.<sup>xi</sup> Updating for inflation only these costs would be \$2.1 billion and \$1,533 per resident in 2024 dollars.<sup>xii</sup>

New Hampshire wisely prohibits minors from using electronic devices while operating a vehicle. 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.<sup>xiii</sup> Per mile driven, teen drivers have crash rates nearly four times higher than drivers aged 20 and older.<sup>xiv</sup> 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.<sup>xv</sup> Moreover, compared with other age groups, teens have the lowest rate of seat belt use. Action is needed to increase, not decrease, safety for young drivers.

Each distracted driving death and serious injury irrevocably changes the lives of families and communities in New Hampshire and across the nation. We urge you to oppose HB 411.

Sincerely,



Catherine Chase, President

cc: House Transportation Committee members

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- i Traffic Safety Facts: Crash Stats, Early Estimate of Motor Vehicle Traffic Fatalities in 2023, NHTSA, April 2024, DOT HS 813 561, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813561>.
- ii State Traffic Safety Information for New Hampshire (2022), NHTSA, available at <https://cdan.dot.gov/STSI/stsi.htm>.
- iii Annual Report, New Hampshire Office of Highway Safety, 2021. Available at <https://www.nh.gov/hsafety/publications/documents/NH2021AnnualReportFinal.pdf>.
- iv Traffic Safety Facts Research Note: Distracted Driving 2022, April 2024, NHTSA, DOT HS 813 559, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813559>.
- v Ibid.
- vi Ibid.
- vii AAA Newsroom, *New Hands-free Technologies Pose Hidden Dangers for Drivers*, October 22, 2015, available [here](#).
- viii IIHS HLDI, Topics, Distracted Driving, available at: <https://www.iihs.org/topics/distracted-driving>.
- ix 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>.
- x Cost of Motor Vehicle Crashes to Employers 2019, NETS, 2018 data expressed in 2019 \$, available at <https://trafficsafety.org/?ddownload=26813>.
- xi The Economic and Societal Impact of Motor Vehicle Crashes, 2019, NHTSA, December 2022, DOT HS 813 403, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.
- xii CPI Inflation Calculator, BLS, January 2019 to January 2024 dollars, available [here](#).
- xiii 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].
- xiv Insurance Institute for Highway Safety (IIHS), Teenagers, available at <https://www.iihs.org/topics/teenagers#by-the-numbers>.
- xv 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>.