

SCOTTSDALE TRANSPORTATION COMMISSION REPORT



To: Transportation Commission
From: Phillip Kercher, Traffic Engineering Manager
Holly Walter, Public Information Officer
Meeting Date: March 20, 2014

ITEM IN BRIEF

Purpose:

To discuss the recent efforts by the Arizona State Legislature to approve laws to prohibit "texting while driving" and "distracted driving."

Action:

Information

Background:

Three "texting while driving" bills were introduced in the Arizona State Legislature this year. They are HB (House Bill) 2376, SB (Senate Bill) 1163, and SB 1147. None of the three were heard in a committee; therefore, they will not be discussed or considered during this legislative session.

Key aspects of each bill are as follows:

HB 2376

- This bill prohibits the use of a handheld wireless communication device to write, send, or read a written message while operating a motor vehicle.
- A violation of this law would be considered a non-moving civil traffic violation.
- The fine for a violation not involving a collision is fifty dollars (\$50).
- The fine for a violation that involves a collision is two hundred dollars (\$200).

SB 1163

- This bill prohibits the use of a handheld wireless communication device to make or receive a telephone call, to engage in a telephone conversation, or to write, send, or read written messages while operating a public transit vehicle, livery vehicle, taxi, limousine, or bus.

SB 1147

- This bill prohibits the use a wireless communication device to send or receive written messages while operating a motor vehicle on a highway.
- A violation of this law would be considered a non-moving civil traffic violation.
- The fine for a first time violation not involving a collision is one hundred dollars (\$100).
- The fine for a subsequent violation that does not involve a collision is three hundred dollars (\$300).
- The fine for a violation that involves a collision is five hundred dollars (\$500).
- The fine for a violation that involves a fatal collision is ten thousand dollars (\$10,000).

Two “distracted driver” bills were also introduced this year:

HB 2216

- This bill prohibits use of all handheld communications devices while driving on a highway.
- The fine for a violation of this law that does not involve a collision is fifty dollars (\$50).
- The fine for a violation that involves a collision is two hundred dollars (\$200).
- The bill would require police to note the use of a wireless device in any collision report.

HB 2359

- This bill prohibits drivers with instruction permits from using wireless communications devices while driving.
- This restriction would also apply to licensed drivers during their first six months under Class G licenses.
- The bill was approved unanimously by the Transportation Committee on Feb. 20.

Prior to this year, twenty-three (23) “distracted driving” bills have been introduced in the Arizona State Legislature: four in 2013; six in 2012; three in 2011; three in 2010; four in 2009; and three in 2008. None have been passed to become law.

Key Considerations:

Nationwide a number of states have laws that prohibit texting or limit cell phone usage while driving:

- There are currently forty-two (42) states with laws that prohibit texting while driving.
- There are currently thirty-seven (37) states that prohibit all cell phone use for novice drivers.
- Twelve (12) states prohibit the use of handheld cell phones by all drivers.
- Five (5) states prohibit text messaging by novice drivers.
- Twenty (20) states prohibit any cell phone usage by bus drivers.
- Three (3) states prohibit school bus drivers from texting while driving.

Arizona has the following “distracted driver” laws in effect:

- The State of Arizona prohibits school bus drivers from any cell phone use (handheld or hands free).
- The Cities of Tucson and Phoenix have ordinances that prohibit texting while driving.
- Coconino County is considering a law to prohibit all handheld communication device use while driving.

In Arizona, drivers who are distracted may be cited under the “reasonable and prudent speed” law, State Statute 28-701:

A person shall not drive a vehicle on a highway at a speed greater than is reasonable and prudent under the circumstances, conditions and actual and potential hazards then existing. A person shall control the speed of a vehicle as necessary to avoid colliding with any object, person, vehicle or other conveyance on, entering or adjacent to the highway in compliance with legal requirements and the duty of all persons to exercise reasonable care for the protection of others.



“TEXTING WHILE DRIVING” LAWS AND OTHER EFFORTS TO PREVENT “DISTRACTED DRIVERS”

Transportation Commission

March 20, 2014

Presented by: Holly Walter & Phillip Kercher

AZ Legislative Efforts



Three “texting while driving” bills were introduced this current legislative session:

- HB 2376 – Prohibits cell phone use to write, send, or read written messages while driving.
- SB 1163 – Prohibits cell phone use to call or text while operating a public transit vehicle, livery vehicle, taxi, limousine, or bus.
- SB 1147 – Prohibits texting while driving on a highway.

None are expected to move forward.

AZ Legislative Efforts



Two “distracted driving” bills were also introduced this current legislative session:

- HB 2216 – Prohibits the use of all handheld cell phones while driving on a highway.
- HB 2359 – Prohibits drivers with instruction permits from using cell phones. The restriction would also apply to new drivers during their first six months.
 - This bill was approved unanimously by the Transportation Committee on Feb. 20.

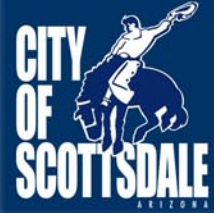
Status of State Laws



Current status of laws in other states:

- There are forty-two states with laws that prohibit texting while driving.
- There are thirty-seven states that prohibit all cell phone use for novice drivers.
- Twelve states prohibit the use of handheld cell phones by all drivers.
- Five states prohibit text messaging by novice drivers.
- Twenty states prohibit any cell phone use by bus drivers.
- Three states prohibit school bus drivers from texting while driving.

Arizona Laws



- The State of Arizona prohibits school bus drivers from any cell phone use (handheld or hands free).
- The Cities of Tucson and Phoenix have ordinances that prohibit texting while driving.
- Coconino County is considering a law to prohibit all handheld communication device use while driving.

Arizona Laws



State Statute 28-701:

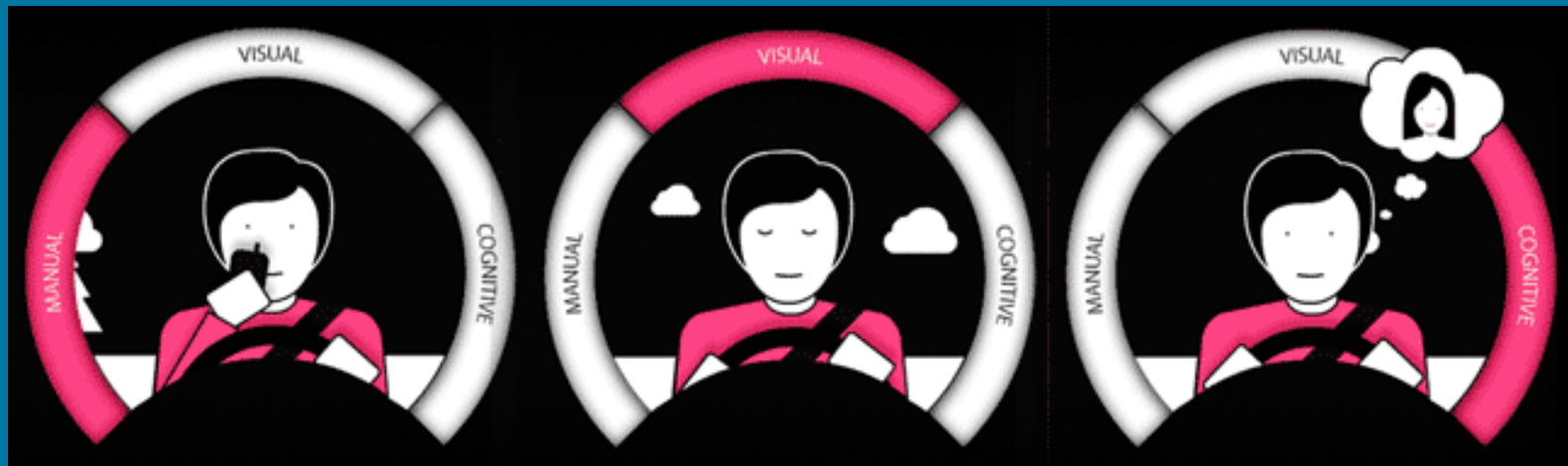
A person shall not drive a vehicle on a highway at a speed greater than is reasonable and prudent under the circumstances, conditions and actual and potential hazards then existing. A person shall control the speed of a vehicle as necessary to avoid colliding with any object, person, vehicle or other conveyance on, entering or adjacent to the highway in compliance with legal requirements and the duty of all persons to exercise reasonable care for the protection of others.

Distracted Driver Statistics



Traffic safety experts classify distractions into three main types: manual, visual and cognitive.

Texting involves all three types of distractions – all at once.



Distracted Driver Statistics



- Engaging in visual-manual subtasks increases the risk of a collision by three times. Virginia Tech Transportation Institute
- 25% of teens respond to at least one text message every time they drive. University of Michigan Transportation Research Institute
- Driving while texting is six times more dangerous than driving while intoxicated. National Highway Traffic Safety Administration
- Headset cell phone use is not substantially safer than hand-held use. Virginia Tech Transportation Institute

Conclusion



QUESTIONS?