

# Driven to Distraction

Is multitasking while driving a public health issue?

By Deidre Bello, associate editor

**T**he sight of other motorists fixing their hair or sipping a beverage might not be so troubling to the typical driver. But how about the driver who, with his hands and arms slumped over the wheel, is using his thumbs to press messages into his cell phone?

That motorist is text messaging while driving – a distracted driving behavior that is growing more irksome to highway safety professionals and has sparked a new wave of debate about behavior related to cell phones and other wireless communication technology.

While the benefits of cell phone use for cases of emergency response are substantial, more attention in recent months has focused on the negative effects on drivers who are using various functions of their cell phone to communicate. Texting while driving, or “TWD,” is a new concern, but other distracting behavior linked to what is being called “infotainment” technology is equally disturbing.

## **+**Plus

Read the National Safety Council's position statement on driving while multitasking at [www.nsc.org/plus](http://www.nsc.org/plus)

Highway safety experts are now claiming cell phone use while driving is a public health issue and are demanding more education and restrictions on such electronic devices. Meanwhile, debate continues on related issues such as whether wireless devices

can be singled out from other distracting behavior, what enforceable restrictions can be made, and what methods are best to counter Americans' growing addiction to multitasking while driving.

### **Cell phone use on the rise**

Cell phone use has grown substantially from the days when only an elite few lugged around the shoe-sized technology. Now millions of people own cell phones in the United States and the smallest phones measure 7 centimeters and weigh less than 60 grams, in addition to having features for MP3 music, global positioning, e-mail, Internet and photography capabilities.

According to the Cellular Telecommunications and Internet Association, the number of wireless subscribers in the United States at the end of 2006 amounted to more than 230 million – up from more than 128 million subscribers in December 2001. Data from the Washington-based international association also shows

monthly text messaging use shot up 92 percent to 18.7 billion messages for the month of December 2006, compared with 9.7 billion messages in December 2005.

Drivers still are taking part in other multitasking behavior such as looking at directions, drinking and eating, grooming themselves, selecting music, talking with passengers, disciplining their children and even day-dreaming. But more Americans seem to be turning their automobiles into a mobile office. Many highway safety officials and legislators say such growth in cell phone popularity cannot be ignored when it comes to the frequency of use and potential threat to driver safety. They point to several recently released studies and public opinion polls that attempt to assess the dangers related to cell phone use.

### **Public opinion and research**

Nationwide Mutual Insurance released findings in January 2007 from a survey of 1,200 drivers that looked at which distracting behaviors were most common. The survey found 73 percent of respondents admitted to talking on cell phones while driving. In addition, the survey concluded that “driving while distracted,” or DWD, is growing more prevalent and more dangerous. Respondents also admitted to changing clothes, balancing a checkbook, shaving and eating (31 percent want a refrigerator in their car). More shocking

### **Feature at a Glance**

In response to the increased use of wireless technology while driving, transportation safety experts are attempting to tackle the debate on potential costs and benefits of this distracted driving behavior.

#### **Key points**

- Cell phone use is on the rise, and some highway safety officials say that is reason enough to investigate the potential threat to safety on the road.
- Several recent studies and public opinion polls have attempted to examine the costs and benefits of wireless technology use while driving, but little evidence exists for researchers to conclude that such use is the sole causal factor in a car crash.
- Legislators nationwide are debating the phenomenon of wireless technology use while driving, while other groups are examining issues of enforcement and liability for automobile accidents.

was the finding that cell phone use was highest among young drivers, said Bill Windsor, associate vice president of safety at Columbus, OH-based Nationwide. Some 37 percent of “Generation Y” respondents (18- to 27-year-olds) admitted to texting and instant messaging while driving.

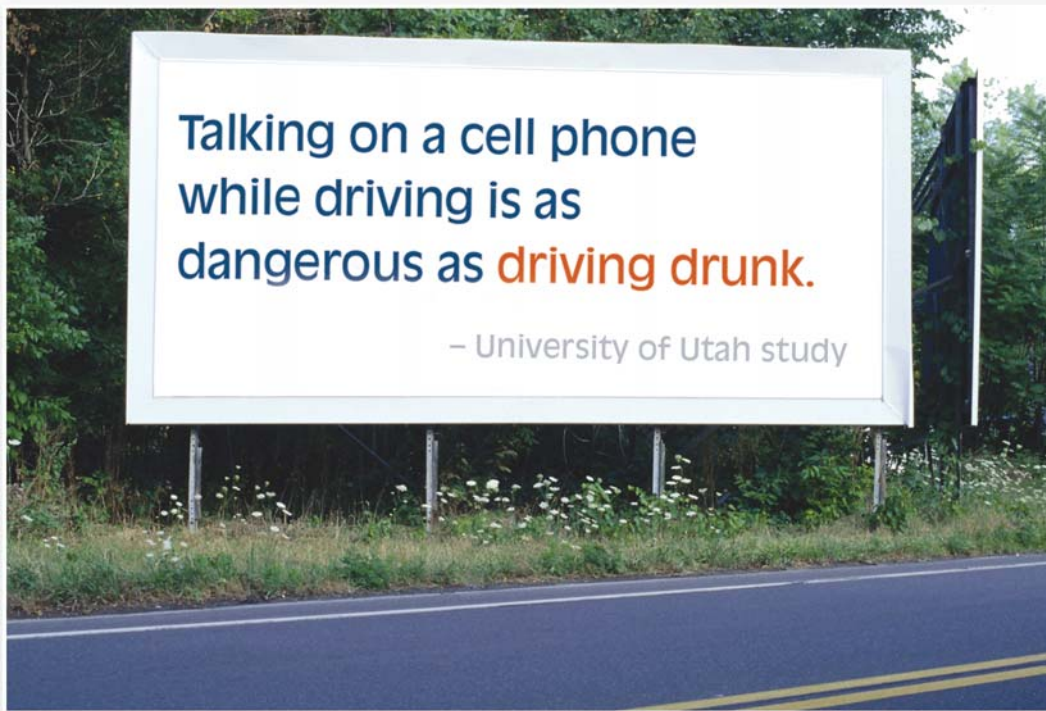
“The Gen-Y group has grown up in the world of multi-tasking, text messaging and cell phones,” Windsor said. “I look back at my kids and it wasn’t unusual [that] they’d be

Safety Administration recommends drivers refrain from talking on the phone while driving. New studies attempt to measure the probability of a crash in terms of exposure rate, or the levels of cognitive distraction related to various behaviors and scenarios.

A study by researchers David L. Strayer, Frank A. Drews and J. Dennis at the University of Utah in Salt Lake City examined cognitive effects of driver distractions and found talking

on a cell phone while driving is as dangerous as driving drunk. The study, published in the journal *Human Factors* (Vol. 48, No. 2), measured braking time for motorists who talked on hands-free cell phones versus talking on hand-held phones.

A study released in April 2006 by the National Highway Traffic Safety Administration and the Virginia Tech Transportation Institute in Blacksburg, found that driver distraction is a factor in nearly 80 percent of traffic crashes and 65 percent of near



doing their homework, they’d be text messaging friends, listening to their iPod and watching TV – all at the same time. This young generation is kind of naturally used to this technology. ... They’ve taken what they do in their daily life [and applied it] to driving.”

Windsor said the findings are worrisome considering how inappropriate use of cell phones by teens, who are novice drivers, could increase their likelihood of getting into an accident. In the span of three seconds, a driver traveling at 65 miles per hour who looks down to check a text message or take his eyes off the road will have traveled 120 yards, the length of a football field, he said.

### Levels of distraction

While some people can argue the benefits of hands-free in-vehicle technology, the National Highway Traffic

Administration recommends drivers refrain from talking on the phone while driving. New studies attempt to measure the probability of a crash in terms of exposure rate, or the levels of cognitive distraction related to various behaviors and scenarios.

### Legislating the issue

Although conclusions and findings from these studies are being challenged by new emerging studies, couple them with media reports on cell phone-related accidents, and the result is a recent attempt by lawmakers nationwide to crack down on cell phone use or enact broader bans covering overall driver distractions.

Some states focus on novice drivers, who have higher crash rates than more mature drivers. In Vermont, the sight of a woman playing her flute while driving motivated Rep. Tom Koch (R-VT) to propose a bill banning several behaviors – from use of handheld wireless technology, personal grooming and smoking; to eating, playing a musical instrument and interacting with pets.

This year, 10 states – Arizona, Connecticut, Delaware, Florida, Maryland, New Jersey, New York, Oregon, Tennessee and Washington – and the District of Columbia have pursued laws that ban text messaging while driving; a total of 36 states have pursued restrictions on cell phones or other handheld wireless technology.

Connecticut, New Jersey, New York and the District of Columbia already have de facto bans for texting while driving included under broader laws that prohibit cell phone use without a hands-free device, according to the Denver-based National Conference of State Legislatures.

New Jersey could be the second state to approve legislation that would allow police to pull over and ticket drivers for texting while driving. The New Jersey Senate approved the bill June 21. In May, Washington became the first state to enact a specific ban on reading and composing text messages while driving, and talking on a cell phone without a hands-free device.

“Some people might believe it is their right to text while driving,” said Washington state Rep. Joyce McDonald, R. “It’s not their right, however, to put my life and the lives of other people on the highway in jeopardy.”

McDonald introduced the bill last fall, when during a visit to a local school, she noticed a number of students were text messaging. Her campaign gained more support after a 53-year-old man was accused of causing a five-car pileup when he was distracted by a message on his BlackBerry.

Arizona’s cell phone legislation was sparked by an accident involving three teenagers, said state Rep. Steve Farley, D. The driver crashed his car into the back of a parked semi-tractor trailer after being distracted by his cell phone. He severely injured his two passengers, a brother and sister who are now permanently disabled, Farley said.

Farley introduced a bill in January that called for a ban on cell phone use and use of other personal wireless electronics for communication purposes while driving.

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Despite the bill’s defeat upon its second reading, Farley said the related media coverage educated people on safety issues related to TWD and distracted driving.

“We’ve gotten all too comfortable about the idea of driving,” he said of why Americans are so willing to take driving risks. “If we take ourselves back to when we were 15 years old and first got behind the wheel and first realized the awesome power of it, we would have more respect for the huge hunk of metal flailing down the highway.”

Other lawmakers and experts say the scope of in-vehicle technology in terms of benefits and potential hazards need to be studied further before legislation is enacted.

Oregon state Rep. Thomas Butler, R, was one of three state representatives who voted against a text messaging ban in Oregon. He said many activities are far more dangerous than cell phone use. “Cell phone utilization should not be singled out in Oregon any more than we should create a new law to single out eating a Big Mac or attempting to balance a hot coffee between your knees,” Butler said. “Why not have a single statute that mandates common sense? The trouble is that there’s nothing common about common sense anymore.”

#### Future research and enforcement issues

Windsor of Nationwide Insurance said some people argue that laws banning cell phone use for purposes other than an emergency can have limited impact because they would be difficult to enforce.

David Eby, Ph.D., an associate research scientist at the University of Michigan Transportation Research Institute in Ann Arbor, agrees. Eby has conducted a number of studies that attempt to measure exposure through direct

#### Plus

Read more about what states are doing.  
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observation. The first naturalistic study of in-car driver behavior was conducted by researchers at the Virginia Tech Transportation Institute, who used cameras and sensors to record driver behavior. Similar observational and naturalistic studies like the Virginia Tech 100-Car Naturalistic Driving Study need to be conducted to determine the rate of exposure to various other distractions, Eby said, adding that talking on a cell phone while driving might help drivers temporarily battle fatigue.

“Just focusing on cell phone use is not going to make the biggest impact,” Eby said. “It might be the easiest thing to regulate but there are lots of other things [that need to be considered].”

Still, a number of states have already begun revising crash investigation documents to record whether cell phone use is a causal factor in crashes. Proponents of cell phone restrictions say the data will be useful when making the case for legislation or in assessing liability in court cases involving a fatality or injury.

### **Employer liability**

Although most companies seem to be focused on more pressing issues, media reports of million-dollar settlements stemming from lawsuits involving employer liability in traffic accidents caused by workers talking on cell phones have turned the spotlight on the importance for employers to adopt cell phone use policies. In some states, cell phone records have been subpoenaed for cases.

Under the theory of “respondeat superior” – a legal term that in Latin means “let the master answer” – an employer may be liable for damages caused by an employee who is acting within the scope of his employment, said Christine Cooper, professor of law with Loyola University in Chicago. But even if employers draft a cell phone use policy, enforcement problems will exist, she said.

Factors that will drive employers to draft a cell phone policy are fear of liability to third parties, said attorney Nita Beecher, who is in charge of membership for the Employment Law and Litigation Group for ORC

Worldwide, a New York-based compensation and human resource management specialists firm. At this point, employer liability related to cell phone use is more of a hot-button issue for companies that rely on a mobile workforce and so have a larger risk of exposure – especially for those in states that have laws restricting or forbidding driving while operating a cell phone, Beecher said.



Several advancements  
are already being made  
for red light camera  
enforcement at intersections.

### **Future technology battlegrounds**

Another approach to change inappropriate driving behavior is to take on manufacturers who are cashing in on a growing consumer market. In January, the Center for Auto Safety, a Washington-based nonprofit group, filed a petition with NHTSA, urging regulators to restrict the use of interactive systems that carmakers are building into vehicles.

“Car companies are liable for behavior when they enable behavior,” said Clarence Ditlow, executive director of the center. It is “much easier to change the minds of corporate manufacturers than the general public,” he said.

In the meantime, researchers are looking into devices that will disable wireless communication in certain vehicles, while several advancements are already being made for red light camera enforcement at intersections, said John Ulczycki, director of the National Safety Council’s Transportation Safety Group. The future battleground for in-car technology could pose enforcement technology against distractive driving technology, Ulczycki said.