

## Statement on the Enhanced Penalties for Distracted Driving Amendment Act of 2015.

[Background: This bill would create a provision for the fines for 2<sup>nd</sup> and 3<sup>rd</sup> violations to escalate to \$200 and then \$400. It also adds points for repeat offenders and removes the provision allowing a first time violator to avoid the fine by purchasing a hands-free device]

Recently Mayor Bowser committed to a Vision Zero policy for the District of Columbia. This program is designed to eliminate all traffic fatalities. As the advisory group for the District on bicycling issues, the Bicycle Advisory Council supports this goal, and the BAC thinks that the Enhanced Penalties for Distracted Driving Amendment Act of 2015 is one tool in achieving it.

The Bicycle Advisory Council supports these efforts to enhance penalties for distracted driving. Since the Distracted Driving Safety Act was passed in 2004, several studies have highlighted the increased risk of cell phone use by drivers. For example, a 2013 NHTSA study showed that certain tasks, such as finding and answer a phone, if done while driving, can increase the risk of a crash by a factor of 4; and a Carnegie-Mellon study showed that talking on the phone caused a 37% reduction in the activity within the part of the brain that is responsible for integrating information like sight and sound. With the expanded evidence of the risk of phone use, an enhanced penalty makes sense. We think this bill can make DC roads and sidewalks safer and help to achieve the Vision Zero goal.

However, the BAC advises that, in addition to strengthening distracted driving penalties, this bill be viewed as an opportunity to strengthen the underlying law. Currently, Illinois has the toughest distracted driving laws in the country. In addition to banning all hands-held phone use, and all phone use by school bus drivers and novice drivers, as DC does; Illinois bans all phone use in school zones and construction zones. They also ban phone use by drivers under 19. As noted earlier, hands-free phone use can still be distracting. Reaction time for those using a hands-free phone to text is more than 80% longer than those who are just driving, and talking or listening on a cell phone, even a hands-free one, makes one 12% less likely to use a turn-signal. Banning distracted driving where vulnerable users are likely to be and by young, higher risk drivers, would mitigate the highest risk distracted driving situations.

But, it is the opinion of the BAC that even matching Illinois' law may not be sufficient to achieve Vision Zero. The science supports the notion that all phone use, including hands-free, prevents drivers from dedicating full attention to the task of safely operating their vehicle. DC law, through its ban on phone use by school bus drivers and novice drivers, tacitly acknowledges this. Though the District of Columbia would be breaking new territory in the effort to combat distracted driving and create safe streets, the BAC thinks that, based on the current state of the science, it is time to consider banning all phone use by all drivers. Asking drivers to focus their full attention to the road, their vehicle and other road users, thereby placing the safety of road users paramount to other concerns, is a necessary and common sense step towards the goal of zero road fatalities.