Welcome to Solutions for Reducing Distracted and Suspended Driving

Please record your attendance using the Sign In Sheet

Moderator: Capt. Fred Williams, Kentucky State Police
June 12, 1:30 – 3 p.m.
International Salon C
DISTRACTED DRIVERS

Facilitator:
Captain Fred Williams Jr.
Kentucky State Police

Commander: Driver Testing Branch
Governor’s Office of Highway Safety

AAMVA Region II Conference
Atlanta, Georgia
June 12, 2013
“Distracted Driving”
Distracted Driving

- Overview
- Challenges
- Education
- Laws
- New research
- Teen views
- Conclusions
Overview

• Distraction like impairment?
  – Dr. Paul Atchley at LifeSavers Conference
    • “The Science of Distraction”
      – The risks or threats
      – Measured texting use
      – Brain functions
        = Self disclosure
        = Why
        = Self deception “we think we…
          > see more than we do” > understand risk”

• Focus groups
  - 63% text peers every day  - call 39%  - face-to-face 35%
  - network 29%             - IM 22%        - Email 6%
We think we see and act…
Challenges

• Problem identification
  – Data collection

• Enforcement
  – Effective laws
  – Best practices and countermeasures
Education

- Key to changing/improving our safety culture
- Every day drivers/ company drivers
Laws

• Federal and state agency/policies
• GDL = 3 steps since ‘97
• Georgia Laws in 2010
  – § 40-6-241.1. Definitions; prohibition on certain persons operating motor vehicle while engaging in wireless communications; exceptions; penalties
  – § 40-6-241.2. Writing, sending, or reading text based communication while operating motor vehicle prohibited; exceptions; penalties for violation
  – $150 fine/ double in a crash
New Research

- **Strategic Highway Research Program 2**
  - Drivers cause 90% crashes
  - Massive study of driver behavior
    - 2800 participants 16-80
    - 6 sites
    - Mileage/ hours = 18 million/ 1 million
  - Linking data sets
  - Safety benefits
  - Schedule completion in march 2015
Teen views

• Governor’s Commission on Teen Driving ’12–’13
  – All teenagers 15-18/ professional direction
  – ID strategies to educate peers of DUI / Distracted
  – Subcommittees
    • Distracted Driving
    • Texting
  – Initiatives/ Recommendations
Conclusions

• GDL works
• Research defining distracted driving/ behavior
• Recommendations
  – Mature/ compelling
  – Peer focused initiatives
  – Earlier interventions
  – Penalties/ ownership
    • Community service
Distracted Driving and Commercial Motor Vehicles

Joel Hiatt
Director, Southern Service Center
Federal Motor Carrier Safety Administration
Our Mission

Reduce crashes, injuries, and fatalities involving CMV transportation through education, innovation, regulation, enforcement, financial assistance, partnerships, and full accountability.
FMCSA Safety Framework

Raise the safety bar to enter the motor carrier industry

Maintain high safety standards to remain in the industry

Remove high risk drivers and carriers from operating
Key Safety Process Areas

**REGISTRATION**
- Companies register with FMCSA
- USDOT # Operating Authority

**INSPECTION**
- Inspect vehicles and drivers and record safety compliance data
- Roadside Weigh Stations
  - Traffic Enforcement

**COMPLIANCE**
- Investigators visit companies and record safety compliance data
- Company Site Visits / Interventions

**ENFORCEMENT**
- Enforcement brings legal action against companies not in compliance
- Legal Action
Driver distraction was a factor in 6% of fatal crashes in 2011

- Approximately 10% of which was related to cell phone use

And now.. A Video Clip of Commercial Motor Vehicle Driver that is distracted..
Project Overview
2009 Study on CMV Driver Distraction

- Purpose: Investigate impact of driver distraction in commercial motor vehicle operations
- Analyzed two large-scale naturalistic truck driving studies including 3 million miles of driving, 203 CMV drivers
Project Overview

- 4,452 safety-critical events
  - 21 crashes
  - 197 near-crashes
  - 3,019 crash-relevant conflicts
  - 1,215 unintentional lane deviations
- 19,888 baseline epochs (normal driving)
Is Distraction an Issue?

60% of all safety-critical events had some type of tertiary task listed as a potential contributing factor.

<table>
<thead>
<tr>
<th>Event Type</th>
<th>All Safety-Critical Events</th>
<th>All Driver At-Fault Events</th>
</tr>
</thead>
<tbody>
<tr>
<td>All safety-critical events</td>
<td>60%</td>
<td>64%</td>
</tr>
<tr>
<td>Crashes</td>
<td>71%</td>
<td>40%</td>
</tr>
<tr>
<td>Near-crashes</td>
<td>46%</td>
<td>50%</td>
</tr>
<tr>
<td>Crash-relevant conflicts</td>
<td>54%</td>
<td>57%</td>
</tr>
<tr>
<td>Unintentional lane deviations</td>
<td>78%</td>
<td>78%</td>
</tr>
<tr>
<td>Task</td>
<td>Odds Ratio</td>
<td></td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>------------</td>
<td></td>
</tr>
<tr>
<td>Text message on cell phone</td>
<td>23.2</td>
<td></td>
</tr>
<tr>
<td>Interact with/look at dispatching device</td>
<td>9.9</td>
<td></td>
</tr>
<tr>
<td>Write on pad, notebook, etc.</td>
<td>9.0</td>
<td></td>
</tr>
<tr>
<td>Use calculator</td>
<td>8.2</td>
<td></td>
</tr>
<tr>
<td>Look at map</td>
<td>7.0</td>
<td></td>
</tr>
<tr>
<td>Dial cell phone</td>
<td>5.9</td>
<td></td>
</tr>
<tr>
<td>Reach for object in vehicle</td>
<td>3.1</td>
<td></td>
</tr>
<tr>
<td>Adjust instrument panel</td>
<td>1.3</td>
<td></td>
</tr>
<tr>
<td>Talk or listen to hand-held phone</td>
<td>1.0*</td>
<td></td>
</tr>
<tr>
<td>Talk or listen to CB microphone</td>
<td>0.6</td>
<td></td>
</tr>
<tr>
<td>Talk or listen to hands-free phone</td>
<td>0.4</td>
<td></td>
</tr>
</tbody>
</table>

*Not statistically significant*
<table>
<thead>
<tr>
<th>Task</th>
<th>Eyes Off Forward Roadway*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Text message on cell phone</td>
<td>4.6</td>
</tr>
<tr>
<td>Interact with/look at dispatching device</td>
<td>4.1</td>
</tr>
<tr>
<td>Write on pad, notebook, etc.</td>
<td>4.2</td>
</tr>
<tr>
<td>Use calculator</td>
<td>4.4</td>
</tr>
<tr>
<td>Look at map</td>
<td>3.9</td>
</tr>
<tr>
<td>Dial cell phone</td>
<td>3.8</td>
</tr>
<tr>
<td>Reach for object in vehicle</td>
<td>2.9</td>
</tr>
<tr>
<td>Adjust instrument panel</td>
<td>2.6</td>
</tr>
<tr>
<td>Talk or listen to hand-held phone</td>
<td>—</td>
</tr>
<tr>
<td>Talk or listen to CB microphone</td>
<td>1.3</td>
</tr>
<tr>
<td>Talk or listen to hands-free phone</td>
<td>1.6</td>
</tr>
</tbody>
</table>

*Number of seconds during six-second interval
What is the risk given the frequency of these tasks?

<table>
<thead>
<tr>
<th>Task</th>
<th>Population Attributable Risk Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Text message on cell phone</td>
<td>0.7</td>
</tr>
<tr>
<td>Interact with/look at dispatching device</td>
<td>3.1</td>
</tr>
<tr>
<td>Write on pad, notebook, etc.</td>
<td>0.6</td>
</tr>
<tr>
<td>Use calculator</td>
<td>0.2</td>
</tr>
<tr>
<td>Look at map</td>
<td>1.1</td>
</tr>
<tr>
<td>Dial cell phone</td>
<td>2.5</td>
</tr>
<tr>
<td>Reach for object in vehicle</td>
<td>7.6</td>
</tr>
<tr>
<td>Adjust instrument panel</td>
<td>0.8</td>
</tr>
<tr>
<td>Talk or listen to hand-held phone</td>
<td>0.2</td>
</tr>
<tr>
<td>Talk or listen to CB microphone</td>
<td>–</td>
</tr>
<tr>
<td>Talk or listen to hands-free phone</td>
<td>–</td>
</tr>
</tbody>
</table>
Key Findings

- Texting – Highest odds ratio (23) and longest duration of eyes off forward roadway (4.6 out of 6 seconds). PAR percentage is 0.7%.
- Dispatching device – High odds ratio (10) and long duration of eyes off forward roadway (4.1 out of 6 seconds). PAR percentage is 3.1%.
- Reach for object in vehicle – Odds ratio (3) and duration of eyes off forward roadway (2.9 out of 6 seconds). Highest PAR percentage (7.6%).
Distraction in Commercial Trucks and Buses: Assessing Prevalence and Risk in Conjunction with Crashes and Near-Crashes

Hickman et al. (2010)

Preliminary results

Research completed by Virginia Tech Transportation Institute, sponsored by FMCSA
Odds Ratio for Involvement in Safety-Critical Event

- 13,305 vehicles (trucks and buses)
- 1,085 crashes; 39,036 near-crashes and events
- 211,171 baselines

### Non-driving Related Task

<table>
<thead>
<tr>
<th>Task</th>
<th>Odds Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cell Phone Usage</td>
<td>1.14*</td>
</tr>
<tr>
<td>Dialing Cell Phone</td>
<td>3.51*</td>
</tr>
<tr>
<td>Talk/Listen to Hands-Free Cell Phone</td>
<td>0.65*</td>
</tr>
<tr>
<td>Talk/Listen to Hand-Held Cell Phone</td>
<td>0.89</td>
</tr>
<tr>
<td>Reaching for Bluetooth</td>
<td>3.38*</td>
</tr>
<tr>
<td>Reaching for Cell Phone</td>
<td>3.74*</td>
</tr>
<tr>
<td>Texting/E-mailing/Accessing the Internet</td>
<td>163.59*</td>
</tr>
</tbody>
</table>

*Statistically significant result
Distracted driving is not new

- Distractions to driving existed before the proliferation of technology.
  
  I. Focus on things outside vehicle- buildings, people, sunsets
  
  II. Focusing on things in the vehicle- food, cigarettes, radios, magazines
  
  III. Lost in thought- work, relationships with others, sports, financial pressures etc.
  
  IV. Conversing with passengers
Our Vision

Save lives by striving toward a crash-free and fully accountable CMV transportation life-cycle.
SERGEANT DANIEL FAGAN

Unit 935

Georgia State Patrol

Atlanta, Georgia
The #1 Driver

Cell Phones
SGT Daniel Fagan #935
Georgia State Patrol
3993 Aviation Circle
Atlanta, GA 30336
Phone: 404-699-4373
Email: dfagan@gsp.net
We are hearing the SAME objections that we’ve been hearing for the past 40 years over safety issues.

I. Law Enforcement Can’t enforce the ban.

I. Government infringing on my personal rights.
• **Statistics are beginning to support it…**the cell phone/texting issue is fast becoming a bigger safety issue than is alcohol, seatbelts or child safety seats.
There are many different kinds of distractions while driving:

1. Eating
2. Reading
3. Shaving
4. Applying Make-up
5. Changing a CD
6. Using GPS
7. Children acting up in the back seat
8. Pets
3 Second Distraction

Traveling at 70 mph a vehicle will travel 308 feet in 3 seconds.

A lot can happen in the length of a football field.

A few seconds can change your life forever.
The four types of distractions

- Manual ..... Touching
- Auditory ..... Hearing
- Visual ..... Seeing
- Cognitive ..... Thinking about
The rise in testing

• 1990 there were 5 million wireless subscribers.

• 2000 there were 97 million wireless subscribers.

• 2009 there were 276.6 million wireless subscribers. (Tripled in 9 years)
Text messages sent:

- In 2000 12.2 Million text messages were sent per month.
- In 2009 135.2 Billion text messages were sent per month.
• 11% of drivers are using cell phones at any time.

• That’s at least 1 out of 9 are talking on their cell phone at any daytime moment. (NHTSA 2007)

• Over 100 million people are using their cell phones while driving....and growing.
• In 2008, estimated that 1.6 Million crashes attributed to cell phones.

• 28% of crashes attributable to cell phones and growing.
• **Slower reaction times** caused by cell phone use are comparable to that of a .08 Blood Alcohol Content.

• **Cell phone users are 4 times more likely to be involved in injury crashes.** *(Insurance Institute for Highway Safety)*
Hands Free vs Hand Held

• The distraction is the conversation.

• Drivers who use hands free are 18 percent slower in braking.

• Drivers who use hands free took 17 percent longer to regain the speed they were traveling prior to them answering the phone.

• There is no difference between hands free and hand held devices.
Why are we singling out cell phones and calling for a complete ban when there are many other types of distractions?

The key factor is the **DURATION AND FREQUENCY** of the calls.
Ask yourself this question:

If your doctor told you after performing a certain test on your body that you are 4 times more likely to die if you don’t change a certain thing, would you change your behavior about that thing? I’m sure you would. So why are we so reluctant to stop the risky behavior of talking/texting on a cell phone while driving since that increases our chance of a crash by 4 times and as much as 8 times.
• No phone call is worth the risk and potential consequences!!!!

• Remember-Safety doesn’t happen by accident. ~Charles M. Hayes~
SERGEANT DANIEL FAGAN

Unit 935

Georgia State Patrol

Atlanta, Georgia
Best Practices to Reducing Suspended and Revoked Drivers

2013 Region II Conference
Atlanta, GA

-Rob Mikell, Commissioner, Georgia Department of Driver Services
-Mike Rankin, Registrar, Ohio Bureau of Motor Vehicles
-Brian Ursino, AAMVA Director of Law Enforcement
Suspended & Revoked Working Group
“Best Practices Guide to Reducing Suspended Drivers”

• Funded by NHTSA

• Developed by the Suspended & Revoked Working Group

Best Practices to Reducing Suspended and Revoked Drivers

Rob Mikell, Commissioner
Georgia Department of Driver Services
Chair, Suspended & Revoked Working Group
• The Best Practice Guide recommends that legislatures repeal laws requiring the suspension of driving privileges for non-highway safety related violations.

• Adoption of these recommendations would reduce the burden on DMVs, Law Enforcement & Courts.

• The Best Practice Guide includes:
  o the research behind the recommendation
  o a model legislation template for jurisdictions to use to craft their own legislation.
The Guide contains the following sections:

- Executive Summary
- 1.0 Introduction
- 2.0 Research Overview
- 3.0 Impact to Criminal Justice System
- 4.0 Impact to Motor Vehicle Agencies
- 5.0 Alternatives to Driver License Suspension
- 6.0 Appendices
  - A: Sample Legislation
  - B: Full Research Report
  - C: Jurisdiction Survey Results
1.0 Introduction

When license suspension were first instituted, there were three primary goals for suspending driving privileges
  o to remove dangerous drivers from the road
  o to change driver behavior
  o to punish unsafe drivers

The Problem

Every year, state legislatures pass additional laws requiring suspensions as a mechanism to gain compliance with non-highway safety (or social non-conformance) reasons, i.e., bounced checks, fuel theft, graffiti, truancy, etc. Now nearly 4 of every 10 suspended drivers are suspended for non-driving reasons!

Research revealed that suspensions for non-driving reasons rose from 29% to 39% of total suspensions in just 4 years [2002 – 2006]
2.0 Research Overview

- Research indicates drivers suspended for driver behavior are involved in crashes *3X more frequently* than drivers suspended for non-driving reasons, and *6X more frequently* than drivers who have never been suspended.

- If policy makers agree there should be a direct nexus between license suspensions and traffic safety, then licenses should be suspended only for driving related reasons.

- Moreover, the common belief that a license suspension provides sustainable motivation for individuals to comply with court ordered or legislated mandates to avoid suspension is not supported by empirical evidence.
3.0 Impact to Criminal Justice

To Law Enforcement

• The Washington State Patrol spends approximately 79,000 personnel hours annually in arrest, impound and adjudication of suspended driver cases on drivers suspended for non-driving reasons.

To Prosecutors and Courts

• Traffic offenses represent the largest number of charges prosecuted in many state and local courts and dockets are clogged. Adding cases for driving while suspended for a non-driving reason simply adds to that overwhelming burden.
4.0 Impact to Motor Vehicle Agencies

• Each time a law is passed requiring suspension action, DMV business units must develop business rules and processes; IT staff perform a variety of functions to move the new code to production.

• Other impacts include those to:
  o training costs for field, call center and central office staff
  o forms revision, increased postage, and other similar costs

• Numerous bodies of research show that driver license suspension is not the universal remedy that legislators and others often believe it to be.

• Most importantly, if not for the high percentage of non-driving related suspensions, DMVs could focus on their core business of highway safety.
5.0 Alternatives to Suspension

- There is no silver bullet or panacea to gaining social conformance among the population that run afoul of the many laws of the states, counties and municipalities.

- This section does provide examples found throughout the country of programs that may be replicated and may provide an alternative in those cases where legislatures refuse to repeal non-driving suspension laws without having an alternative.
6.0 Appendices

- **A**: Sample Legislation ~ Developed by legislative subcommittee of the Working Group that was chaired by a representative from the National District Attorneys Association

- **B**: Full Research Report based on suspension data provided from eight states (two from each AAMVA Region)

- **C**: Full Jurisdiction Survey Results outlining various non-driving license suspension reasons

Thank You!

Rob Mikell, Chair, Suspended & Revoked Working Group

AAMVA Staff Liaisons to the Suspended & Revoked Working Group:

- Sheila Prior, Regional Director, Regions III & IV
- Brian Ursino, Director of Law Enforcement
Ohio Bureau of Motor Vehicles

Registrar, Mike Rankin
BMV FACTS AND FIGURES

- 8,776,272 licensed drivers and identification card holders in the state of Ohio.
- 2,007,439 driver licenses were issued.
- 308,933 identification cards were issued.
- 2,352,733 abstract driver record reports were processed.
- 157,252 six-point warning letters were generated.
- 26,881 12-point suspension letters were generated.
- 3,778 probationary suspension letters were generated.
- 791,764 administrative and court mandated driver license suspensions were processed by the BMV.
- 185,909 motorcycle endorsements issued, renewed or added to a driver license.
- $30,700,198 was collected for driver license reinstatement fees by BMV reinstatement offices throughout the state, serving 358,674 customers.
- $8,342,210 was collected for driver license reinstatement fees by mail, serving 50,717 customers.
- $7,969,210 was collected for driver license reinstatement fees through the online process, serving 36,264 customers.
The Collateral Sanctions Bill, signed by Governor John Kasich, was implemented September 28, 2012. The focus of this bill was to reduce non-driving suspensions, streamline the reinstatement process and to assist non-dangerous drivers regain their driving privileges.
1st Non-compliance suspension
(Failure to show proof of insurance)

Before SB 337
Mandatory 90 day suspension
1. 90 Day suspension imposed
2. $150 reinstatement fee required
3. SR 22 filing required
4. Petition the court for limited driving privileges
5. Pay court fees to obtain limited driving privileges
6. File the driving privileges with the BMV

After SB 337
Indefinite suspension to compliance
1. Pay $150.00 reinstatement fee
2. Submit SR 22 filing
3. Become “Valid” immediately. No mandatory suspension imposed

3,152 customers with a 1st non-compliance suspension became “valid” immediately upon complying with their reinstatement requirements.
3rd Non-compliance suspension
(failure to show proof of insurance – 3rd time within 5 years)

Before SB 337 –

• Customers received a two year suspension with no possibility of receiving limited driving privileges.

After SB 337 –

• Customers may now apply for limited driving privileges after the first 30 days of their suspension, allowing them to legally drive and go to work.

849 customers now have limited privileges on a 3rd non compliance suspension.
Child support suspensions

Before SB 337

• Customers could not apply for limited driving privileges, preventing them from legally being able to drive to work and pay their child support.

• 25 customers now have limited driving privileges on child support suspensions

After SB 337

• Customers may now apply for limited driving privileges.
Positive impact of SB 337

- Numerous Ohio Courts have indicated their court dockets have significantly decreased as a result of the bill.
- Cleveland Municipal court has seen a 29% reduction in requests for limited driving privileges.
- Customers are quoted as saying “I am able to keep my job” because of the immediate reinstatement for a 1st non-compliance suspension.
- We’ve even had numerous customers start crying when told they were valid and don’t have to serve a suspension.
- Customers don’t have to pay court fees or appear in court for driving privileges.
- CDL drivers do not loose their driving privileges for a 1st non-compliance suspension and can continue to work.
WHAT’S NEXT?

July 15, 2013

BMV FEE INSTALLMENT PLAN
Many Ohio drivers owing a large amount in reinstatement fees have given up.

The Ohio BMV will offer a driver’s license reinstatement fee installment plan. The plan will allow customers owing a $150 or more to become valid or eligible to retest for a driver license by paying only $50.00 a month for as long as it takes to pay their reinstatement fees.

Currently reinstatement fee plans are offered by the Courts and are of limited duration. Generally, courts do not want to be collection agents.
What do each offer?

**Court Payment Plan**
- Customer must petition the Court to apply and obtain limited driving privileges.
- Customer must pay anywhere from $60-$100 in court charges to apply for the payment plan.
- License status remains suspended.
- Payments are not monitored.
- Consumes Court time.

**BMV Installment Plan**
- Free up Court resources.
- Customers may apply via mail or in person.
- There is no additional charge to apply for the plan.
- License status becomes **valid or eligible to test**.
- $50.00 monthly payment is monitored to ensure reinstatement fees are being paid.
fee installment plan requirements

- Owe at least $150 in reinstatement fees
- Have met all reinstatement requirements except payment of fees
- Not currently under a hard suspension or have a pending suspension
- Show current proof of insurance
- Not currently on a court ordered fee payment plan
- Pay a minimum monthly payment of $50.00
Best Practices to Reducing Suspended and Revoked Drivers

Questions?

- Rob Mikell, Commissioner, Georgia Department of Driver Services
- Mike Rankin, Registrar, Ohio Bureau of Motor Vehicles
- Brian Ursino, AAMVA Director of Law Enforcement
Up Next

Refreshment Break
International Foyer South
3 - 3:30 p.m.

*Courtesy of PDG*

Followed by Annual Membership Meeting
Imperial Salon A
3:30 - 5 p.m.