

STATUS REPORT

INSURANCE INSTITUTE
FOR HIGHWAY SAFETY

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Making this **ILLEGAL**

is a hot topic in state legislatures across the country. So far, New York has taken the boldest action, becoming the first state to make it illegal to operate a vehicle while using a hand-held phone.

The ban took effect in November 2001. It's not clear how it will influence safety because so much is unknown about the crash risks associated with cell phone use (see p.3), particularly whether substituting hands-free phones will reduce the risks compared with hand-held phones.

What's clear is that there's got to be compliance for this law to have any effect. So a big question is, do cell phone laws actually induce drivers to give up using their hand-held phones? The answer is yes,

at least in the short term. A new Institute study involved observing drivers in various places across the state before and after New York's law. Three months after the law took effect, the proportion of observed drivers using hand-held phones had dropped by about 50 percent.

To measure rates of cell phone use, researchers observed drivers at intersections over a period of about an hour at a time. In the first set of observations, conducted one month before the law took effect and before

police started issuing warnings, 2.3 percent of the drivers were using hand-held phones. Shortly after the warning period ended, the use rate was lower (1.1 percent). Several months later, use was still at 1.1 percent. In neighboring Connecticut, where no law was in effect during the study period, the use of hand-held phones while driving remained steady at 2.9 percent of drivers.

"The results suggest that laws like New York's can significantly reduce hand-held (continued on p.4)



Risk of using a phone while driving isn't easy to PIN DOWN

Look around on the roads, and chances are you'll see some drivers gabbing away on cell phones. It's intuitive to most of us that using a phone while driving cannot be a safety plus. Anything that

distraction. A lot has been done on simulators and test tracks, and the results generally suggest that drivers don't perform as well when they're attending to extraneous tasks. But these findings cannot necessarily be generalized to the real world. Getting real-world data that could tie crashes to phone use isn't easy, though there are a few good studies. All of them report that phones are associated with increased crash risk.

One 1997 study published in the *New England Journal of Medicine* analyzed phone billing records for a sample of Canadian drivers in collisions, finding crash risk four times higher when drivers were phoning than when phones weren't in use (see *Status Report*, March 22, 1997; on the web at www.highwaysafety.org). Other studies report smaller phone-related increases in crash risk, but the findings are limited.

Allan Williams, the Institute's chief scientist, says "we need more carefully designed studies using cell phone company records, but the U.S. phone companies seem unwill-

ing to participate. We also need to compare the extent of phone use among drivers who don't get in crashes and those who do. Too often you hear that if only the police collected more data on cell phones in their crash investigations, we'd know how big a problem this is. But police reports alone won't provide the answer because they only give information on drivers who crash, not on any comparison group."

The driver of this SUV was talking on the phone when she lost control, crossed a median, and landed on top of a passenger van with four occupants. All five people were killed. Was phoning while driving the main cause of the crash, which occurred last February on a high-speed road in suburban Washington, D.C.? An investigation is under way by the National Transportation Safety Board, which says phone use probably was a factor along with strong winds, vehicle speed, and the driver's inexperience handling the SUV. The safety board expects to issue a report by the end of the year on the contributions of phones and other driver distractions to motor vehicle crashes.



The few studies report an increase in crash risk of

claims the attention of a driver is likely to be hazardous. But a cell phone might not be any more hazardous than other distractions from portable electronics and CD players to route guidance systems. Cell phones might be getting most of the attention these days simply because everyone seems to have a mobile phone. An estimated 137 million people in the United States subscribe to cellular service. That's roughly three phone users for every five adults.

The answer to whether cell phone use poses a big threat isn't definitive. Much still is unknown about the risks. No one knows how many crashes are related to phone use. Nor is it known whether the collisions tend to be fender-benders or whether they're worse. It's not clear what's most distracting — whether it's primarily holding a phone, dialing it, or conversing on it. There's evidence that all three are risk factors.

So much is unknown because it's inherently difficult to study the effects of driver





DISTRACTIONS besides phone use

Phoning while driving is getting a lot of attention these days, perhaps because cell phone use has become one of the more common driver distractions. But it's not the only one. Nor is the problem of distraction new. This crash occurred on June 7, 1988. It involved Peter Hanlon, who was driving a flower delivery van on the New York Thruway when he says he "dropped a cassette. I decided it would be a good time to bend over and pick it up, except it wasn't [a good time] because I moved over on the road a little bit to the right-hand side. I was driving half on the road and half on the shoulder, and I collided with a tractor-trailer." Fortunately, Hanlon had fastened his safety belt moments before. Thruway authorities were in the second month of a program to publicize and enforce New York's belt law (see *Status Report*, Sept. 17, 1988), and a tolltaker had just reminded Hanlon to buckle up.

(continued from p.2) phone use by drivers," says Anne McCartt, senior associate at Preusser Research Group and lead author of the study. "The changes in hand-held phone use occurred at a time when the new law was getting considerable publicity. It will be interesting to see if the changes can be maintained and increased over the long term. Enforcement is likely to be key."

The observations were conducted in four small- to medium-size metropolitan areas in New York and two areas in Connecticut. A few downstate counties in New York including Nassau,

Suffolk, and Westchester had pre-existing bans on driving while talking on cell phones, and these counties weren't included in the Institute's surveys. About 37,000 vehicles in New York and another 21,000 vehicles in Connecticut were observed over the three separate periods when researchers were conducting their observations.

A question that remains is whether New York's cell phone law goes far enough. What about hands-free phones? "It might be a mistake to think that safety will be served

as long as drivers keep both eyes on the road and both hands on the wheel. There's some evidence that talking on a hands-free phone is a significant driver distraction," McCartt says.

It's hard to pin down the risk of hand-held or hands-free phones because so much still is unknown (see p.3), no matter what kind of phone a driver is using.

The Institute's study is believed to be the first evaluation of driver compliance with a law prohibiting hand-held cell phone use. The law in New York makes it a traffic violation, punishable by fine of \$100, for a driver to hold a cell phone to or near the ear while a vehicle is in motion, unless the driver is calling for help or reporting a dangerous situation.

The law doesn't apply to hands-free phones. Nor does it prohibit manual dialing or using hand-held phones while vehicles are stopped, such as at traffic lights.

Under a phased-in approach, police dispensed verbal warnings to violators during November 2001, which was the first month of the New York law. For the next three months (December-February), violators received citations, but judges could waive the fines for first offenses if drivers showed proof of having purchased a headset or a speakerphone. Beginning in March 2002, the fines no longer were waived.

New York is the only U.S. state with such a law, but the volume of legislative proposals is picking up. More than 30 states and the District of Columbia have considered full or partial bans on using cell phones while driving. Legislators in a few states have sought to ban any distracted behavior while driving.

For a copy of "Drivers' use of hand-held cell phones before and after New York state's cell phone law" by A. McCartt et al., write: Publications, Insurance Institute for Highway Safety, 1005 North Glebe Road, Arlington, VA 22201.

Cell phone bills in STATE LEGISLATURES

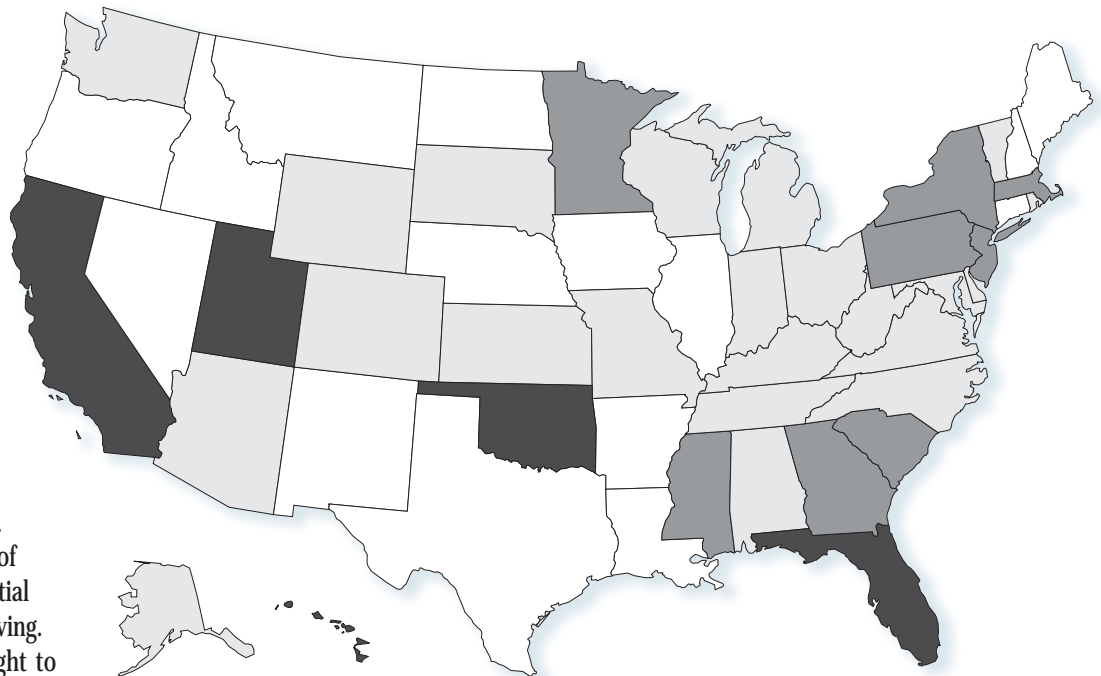
This year at least 22 states have considered legislation to prohibit hand-held phone use while driving. Eight more states have considered banning all cell phone use, and five have weighed proposals to enact general bans on distracted driving, including phone use if it's distracting.

New York prohibits hand-held phones (see p.1), and a few other states have lesser restrictions. California, for example, requires written operating instructions for safe phone use in rental cars with cell phones. Arizona, Massachusetts, and Rhode Island don't let school bus drivers use phones while operating buses. Massachusetts requires all drivers using phones to keep at least one hand on the wheel all the time.

The absence of a specific law doesn't necessarily mean police have no recourse if they

Outside the United States, at least 25 countries prohibit or at least restrict using cell phones and other wireless technology in motor vehicles. Israel, Japan, Portugal, and Singapore prohibit all cell phone use while driving, according to the National Conference of State Legislatures. Hand-held phone use is prohibited in the following countries: Australia, Brazil, Chile, Denmark, Germany, Greece, Hungary, Italy, Poland, the Philippines, Romania, Slovenia, South Africa, Spain, Switzerland, Turkey, and the United Arab Emirates. Similar bans are in Hong Kong and New Delhi, India.

Drivers in the Czech Republic, France, and the Netherlands may use cell phones but can be fined if they're in a crash while phoning. In the United Kingdom, using a mobile phone while driving is listed as an example of failure to exercise proper control of the vehicle and can result in a fine.



PROPOSED LAWS INTRODUCED IN STATE LEGISLATURES DURING 2002

- Ban hand-held phones
- Ban all cell phones
- Ban any distracted behavior while driving

see a driver on the phone who appears to be distracted. Many states have laws against careless, negligent, or inattentive driving that could be used, depending on legal interpretation, to hold drivers using phones accountable for their actions.

Cost of crashes has increased dramatically, NHTSA reports

Motor vehicle crashes cost the United States a total of \$230.6 billion in 2000, the National Highway Traffic Safety Administration (NHTSA) concludes. This sum, which is 50 percent higher than NHTSA's last estimate in 1996, reflects the lifetime economic costs of 41,821 deaths, 5.5 million nonfatal injuries, and 28 million damaged vehicles.

The biggest costs were lost wages and productivity, property damage, and medical care for injuries. Combined, these account-

The people directly involved in the crashes paid only 25 percent of the costs. Society picked up the rest — about \$170 billion — through insurance premiums, taxes, and travel delays. All told, crashes cost roughly \$820 for every person in the United States. The total cost amounts to 2.3 percent of the nation's Gross Domestic Product.

For perspective on the huge costs of crashes, consider what other major health problems cost the nation. Heart disease and cancer are the two leading causes of death in the United States. According to the National Institutes of Health, the total economic cost of heart disease in 2000 was \$214.7 billion, including all health expenditures and lost

WHO PAYS THE SOCIETAL COSTS OF CRASHES?
By source of payment (millions of dollars), 2000

	federal	state	insurer	other	self	TOTAL
medical	4,698	3,187	17,893	2,075	4,769	\$32,622
emergency services	56	1,100	214	25	57	\$1,453
market productivity	9,881	1,866	25,061	945	23,238	\$60,991
household productivity	—	—	8,280	312	11,559	\$20,151
insurance administration	135	77	14,955	—	—	\$15,167
workplace costs	—	—	—	4,472	—	\$4,472
legal/courts	—	—	11,118	—	—	\$11,118
travel delay	—	—	—	25,560	—	\$25,560
property damage	—	—	38,373	—	20,663	\$59,036
TOTAL	\$14,769	\$6,231	\$115,894	\$33,388	\$60,285	\$230,568

Source: National Highway Traffic Safety Administration

ed for two-thirds of the \$230.6 billion costs. Lost productivity cost \$61 billion (26 percent), property damage \$59 billion (26 percent), and medical expenses \$32.6 billion (14 percent). Other costs were travel delays, legal and court fees, insurance administration, and emergency services.

Safety belts saved \$50 billion in costs by preventing 11,900 deaths and 325,000 serious injuries. Still, the unnecessary costs resulting from people not using their belts came to \$26 billion. According to NHTSA, more than 9,200 lives could have been saved and 143,000 injuries prevented if the unbelted occupants had buckled up.

productivity. The cost of cancer in the same year is estimated at \$180 billion.

So motor vehicle crashes are as much of a drain on the economy, if not more so, as heart disease or cancer. Yet when it comes to federal research dollars, highway safety continues to get far less attention. President Bush's budget request for 2003 includes \$5.1 billion for research at the National Cancer Institute compared with \$205 million (about 4 percent as much) for NHTSA's research and operations programs.

For details about "The economic impact of motor vehicle crashes: 2000," visit NHTSA's website at www.nhtsa.dot.gov.



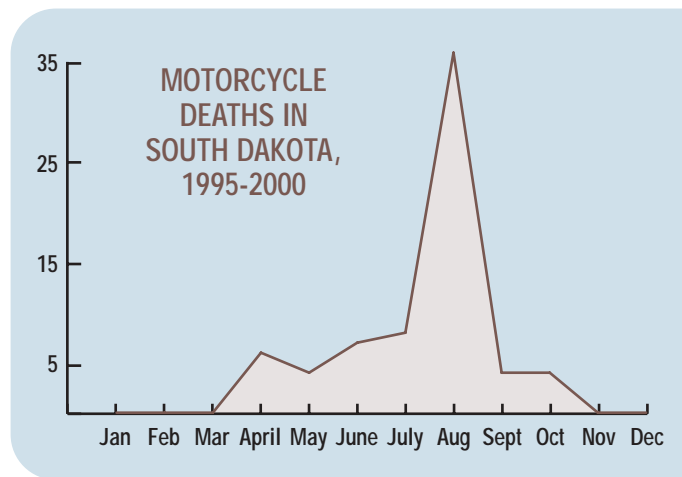


Motorcycle deaths in South Dakota are mainly associated with Sturgis rally

Tiny Sturgis, South Dakota (population 5,000), hosts a rodeo in May, a tractor pull in June, and a basketball tournament in July. But the town's biggest event by far is the annual motorcycle Rally and Races in early August. This year's event was the 62nd.

The Sturgis Chamber of Commerce says "planning is a year-round process," and it's no wonder. An estimated 400,000 bikers attended the 61st Rally and Races, which set a record but not by much. The crowd earlier this month was huge, and word is everyone had fun at events from the Toadstool Jamboree concert to the Miss Buffalo Chip contest.

But there's a downside. Year after year, more than half of the deaths of motorcyclists in South Dakota occur in August (36 of 69 deaths during 1995-2000), and it's a safe bet many of the deaths are rally-related. Twenty-three of the 36



August deaths occurred in the counties (Custer, Lawrence, Meade, and Pennington) in and around Sturgis.

The average age of the rally's spectators is 42, so it's not surprising that many of those who died in the month of August were 40 or older (23 of 36). This follows a nationwide trend of increasing deaths among older cyclists. The trend is pushing up the average age of cyclists killed (see *Status Report*, Jan. 12, 2002; on the web at www.highwaysafety.org).

A related factor is helmet use, or the absence thereof. Twenty-eight of the 36 motorcyclists who died in South Dakota in August 1995-2000 weren't wearing helmets. They weren't violating any law, because in South Dakota and most other states only cyclists younger than 18 have to wear helmets. Fifty-four of the 69 riders who died in South Dakota year-round during 1995-2000 weren't helmeted.

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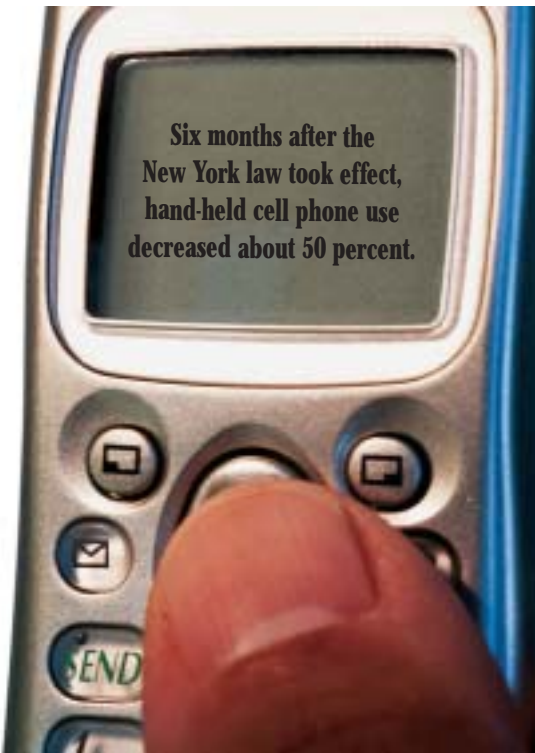
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