

a Berkley Company

# **Distracted Driving**

## What is Distracted Driving?

Distracted driving is anything that takes your attention away from the task of driving. While using a cell phone to talk or text is the most recognized distraction, any activity that diverts attention from driving, including talking and texting on your phone, reaching for your phone or other objects, changing music, checking navigation system, eating or drinking, talking to vehicle passengers, or putting on makeup and other grooming activities is considered distracted driving.

Distracting tasks can affect drivers in different ways and can be categorized as:

- 1. Visual looking away from the road
- 2. Manual removing your hands from the steering wheel
- 3. Cognitive taking your mind off the road

#### Why is addressing distracted driving important?

Distracting activities are a common occurrence while driving. Crash data and studies have shown that these activities increase the risk of getting into an accident.

Sending or reading a text takes a driver's eyes off the road for 5 seconds. At 55 mph, that's like driving the length of an entire football field with your eyes closed. A study conducted by the <u>Virginia Tech Transportation Institute</u> shows that engaging in the visual-manual tasks associated with the use of a hand-held phone (or other portable devices) including reaching for a phone, dialing and texting increased the risk of getting into a crash by 300%. Reducing distracted driving can decrease the number and severity of vehicle crashes.

Distraction	Odds Ratio
Cell dial (handheld)	12.2
Reading/writing (includes tablet)	9.9
Reaching for object	9.1
Extended glance duration to external object	7.1
Cell text (handheld)	6.1
Reaching for cell phone	4.8
In-vehicle device (other)	4.6
Cell browse	2.7
In-vehicle climate control	2.3
Cell talk (handheld)	2.2
In-vehicle radio	1.9
Eating/drinking (non-alcohol)	1.8
Interaction with passenger	1.4
Personal hygiene	1.4

Source: Proc Natl Acad Sci U S A. 2016 Mar 8; 113(10): 2636–2641. Published online 2016 Feb 22

## Regulations

State laws regarding the use of hand-held phones while driving vary. Many states have laws banning texting while driving. Some states require hands-free devices. Fewer states have laws banning all hand-held phone use by drivers. The <u>Federal Motor Carrier Safety Administration</u> (FMCSA) Regulation bans the use of hand-held cell phones and texting while driving commercial motor vehicles. The FMCSA or state may disqualify drivers for multiple violations involving the use of hand-held cell phones or texting while driving. Penalties can be up to \$2,750 for drivers and up to \$11,000 for employers who allow or require drivers to use a hand-held communication devices while driving. Visit the <u>Governors Highway Safety Association's</u> (GHSA) website for regulations by state.

### **Policy Development and Implementation**

Development of a driver safety policy and training that includes information on distracted driving and increased risk of accidents when distracted is recommended to improve driver awareness. A strong policy will apply to ALL drivers including those driving company-owned vehicles, rental vehicles and their personal vehicles for company business and include:

- Prohibitions on driving while distracted, including all types of distractions (visual, manual and cognitive)
- Language to specifically address the use of electronic devices when driving for company business. For example: Drivers are prohibited from using a cell phone or computer while operating a vehicle including when stopped at a traffic light. This prohibition includes answering or making phone calls and otherwise engaging in phone conversations, accessing web pages and reading or responding to emails, instant messages, or text messages. If a driver needs to use the phone, he/she must pull over to a safe location. There are studies indicating that hands-free devices do not eliminate cognitive distraction and that drivers are still at increased risk of accidents from distraction while talking on the phone, even with a hands-free device. Policy language should address this risk.
- Disciplinary actions that your company will take if drivers are found to be violating the policy, which may include retraining, removal of company driving privileges, or termination.

All drivers should be required to review the policy and acknowledge that they understand and will comply with the policy. There are various devices and smartphone apps that can help employers monitor and/or prevent employees' cell phone use while driving. Refer to Acadia's *Fleet Management, Technology, and Telematics* fact sheet for details.

#### **Additional Resources**

There are many organizations with online resources available to the public regarding distracted driving, including:

## CDC • EHS Today • FMCSA • GHSA • IIHS • It Can Wait • NHTSA • NSC • OSHA

Acadia also has resources available to policyholders through the Risk Management Center. To request access to the Risk Management Center, or for any additional information regarding distracted driving, please contact Acadia's Virtual Loss Control Team at 207-874-5701 or <u>virtuallc@acadia-ins.com</u>.

Acadia Insurance is pleased to share this material with its customers. Please note, however, that nothing in this document should be construed as legal advice or the provision of professional consulting services. This material is for general informational purposes only, and while reasonable care has been utilized in compiling this information, no warranty or representation is made as to accuracy or completeness.

04/17/2020