

Laws Against Texting While Driving Are Ineffective

Distracted Driving, 2012

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Despite the current epidemic of texting-while-driving, fatal crashes in the United States have not spiked, and even though many state legislators get tough on distracted drivers, new laws have failed to make an impact. At best, cell phone bans around the country might take years to become effective, just like drunk driving laws before them; at worst they may prove as futile as anti-speeding campaigns of the past.

It's been almost 150 years since the first speeding law took effect, yet people speed all the time, and even strict enforcement has limited impact.

Text messaging has been around for about a dozen years, with public surveys showing overwhelming agreement that it's a dangerous distraction while driving. And laws against it have had little effect, according to a new study issued Tuesday [September 28, 2010].

New Laws Might Be Ineffective

The report by the Highway Loss Data Institute, an insurance industry-funded research group, compared crash rates in four states that prohibit texting with those in states where it is allowed. It found no reduction in states where it is banned.

"The point of texting bans is to reduce crashes, and by this essential measure the laws are ineffective," said Adrian Lund, president of the research group and of the affiliated Insurance Institute for Highway Safety.

An estimated 450,000 people were killed or injured last year in distracted-driving accidents.

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Lund says that while state legislatures are increasing speed limits to 75 mph [miles per hour], safety efforts have been "sidetracked" by a focus on reports of unintended acceleration and distracted driving.

"The hyper-visibility of these issues diverts attention from initiatives that have far greater potential to save lives," Lund said in August [2010]. "We need to look for the next big idea, like airbags, and get it done."

The architect of the distracted-driving campaign, U.S. Transportation Secretary Ray LaHood, said his attack on cellphone use while driving has not come at the expense of other safety initiatives. He also has been a vocal advocate for efforts against drunk driving, and for seat-belt use among others. Highway death tolls are at their lowest level since 1950.

Explaining the Data

"This report is completely misleading," LaHood said. "Distracted-driving-related crashes killed nearly 5,500 people in 2009 and injured almost half a million more. Lives are at stake, and all the reputable research we have says that tough laws, good enforcement and increased public awareness will help put a stop to the deadly epidemic of distracted driving on our roads."

The texting issue has been the point of the spear in LaHood's distracted-driving campaign, which has included a pair of major conferences to address the issue. Though he has long advocated that cellphones not be used while driving, sending text messages was deemed more dangerous, and banning the practice was more politically palatable.

Surveys have shown overwhelming support for a ban on text messaging, but the majority of drivers says they want to continue to use their cellphones behind the wheel. That reality played into the debate Sunday [September 26, 2010], when a coalition of state highway safety officials voted against endorsement of a cellphone ban because, as their spokesman put it, "We don't want this to become like the speeding issue, which we've already lost. Everybody speeds."

The institute research found that rather than a decline in texting-related collisions, "there appears to have been a small increase in claims in the states enacting texting bans" which "suggests that texting drivers have responded to the law ... by hiding their phones from view."

Lund cautioned that "finding no reduction in crashes, or even a small increase, doesn't mean it's safe to text and drive. ... It's just that bans aren't reducing this crash risk."

"Our reaction [to the institute report] is that we are not surprised as state enforcement of texting bans is really now just getting underway," said Jonathan Adkins, spokesman for the Governors Highway Safety Association, at whose convention the report was presented. "That said, there is not currently a federal pool of money for states to access for distracted-driving enforcement much like there is for drunk driving and seat-belt use."

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In Need of a Sea Change

Lon Anderson, Mid-Atlantic spokesman for AAA [Automobile Association of America], said the institute findings indicated the failure of state legislatures to provide law enforcement with effective laws.

"We have, unfortunately, set the police up for failure," he said. "Would good laws strictly enforced do the job? In our opinion, yes."

Anderson said it will take time for public opinion to get behind the distracted-driving campaign.

"It took a couple of decades before people recognized the problem of drunk driving," he said. "We need to have a sea change on the part of drivers on this issue."

Further Readings

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Source Citation

Halsey, Ashley. "Laws Against Texting While Driving Are Ineffective." *Distracted Driving*. Ed. Stefan Kiesbye. Detroit: Greenhaven Press, 2012. At Issue. Rpt. from "Laws Are Not Dissuading Drivers From Texting, Report Finds." *Washington Post* 29 Sept. 2010. *Opposing Viewpoints In Context*. Web. 29 May 2013.

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Gale Document Number: GALE|EJ3010795206