



12 STATES HAVE ADVANCED TOUGHER DISTRACTED DRIVING BILLS

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As auto accidents and fatalities increase on America's roads, a dozen states have taken legislative action this year to further combat distracted driving.

According to an analysis by the Property Casualty Insurers Association of America (PCI), nine states have enacted laws and three states have legislation on their governors' desks to strengthen enforcement, increase penalties and fines, and focus on education and awareness efforts – particularly for teens.

PCI said a 14 percent increase in traffic fatalities over the past two years – the largest two year increase in more than 50 years – highlights the importance of strengthening distracted driving laws.

“Even though most states have put in place laws that restrict texting while driving, more action is needed to address distracted driving and the sharp spike in crashes and traffic fatalities that have occurred over the past few years,” said Robert Passmore, PCI assistant vice president for personal lines policy, in a written statement. “While there is no single answer to addressing the problem of distracted driving, the new laws passed in 2017 are important because finding the solution to this epidemic involves enacting stronger laws, increasing enforcement, raising public awareness and creating a culture of personal responsibility.”

The states enacting laws in 2017 against distracted driving are taking a variety of approaches to the problem. Iowa and Washington have enacted two of the strongest laws against distracted driving in 2017. Iowa's law moves from secondary to primary enforcement of the state's texting ban law. Now police won't need to wait to witness another driving infraction before they can pull over a texting driver.

“Laws in Washington and Arkansas broke new ground by expanding the definition of distracted driving to include many more dangerous behaviors that drivers engage in such as using Facebook, Instagram, YouTube and even Netflix,” said Passmore. “We need to make sure our laws are keeping up with the new behaviors that are making our roads deadlier.”

Texas was one of a handful of states without a ban on texting, but the legislature recently sent a bill to Governor Greg Abbot that would establish a statewide texting ban with

primary enforcement. The bill would make the offense a misdemeanor punishable by a fine of not more than \$99 for a first time offense or \$200 for repeat offenders.

It's unclear whether Gov. Abbott, who has said he has some reservations about the bill, will sign it. His predecessor, Rick Perry, vetoed a similar measure in 2011.

If the Texas bill is signed 43 states and the District of Columbia will have primary enforcement of texting bans leaving only Arizona, Florida, Missouri, Montana, Nebraska, Ohio, and South Dakota with either secondary enforcement or no texting law.

Increased Fines

Arkansas, District of Columbia, North Dakota and Washington are cracking down by increasing fines for distracted driving. In Arkansas fines for texting will now be up to \$250 for a first-time offender and \$500 for a repeat offender. Additionally, fines will double if a driver involved in a crash is texting. Colorado also has legislation on the governor's desk that increases penalties for texting while driving from \$50 to \$300. These fines reflect the seriousness of the violation.

Legislation approved in Arizona, Oklahoma, Tennessee and Vermont focuses on protecting teen drivers. Arizona banned teenagers with a learner's permit from driving while using a wireless communication device and Oklahoma mandated that all driver education courses include education regarding the dangers of texting while driving. Tennessee and Vermont passed laws to prohibit the use of handheld devices in school zones. The Vermont legislation is awaiting the Gov. Phil Scott's signature.

Virginia also took action to further the educational activities of DRIVE SMART Virginia. Drivers will be able to make contributions to DRIVE SMART Virginia Education Fund through their EZ Pass electronic toll collection account. The funds will be used to educate the public on issues related to safe driving, distracted road users, and other issues.

PCI has made its research, Roadmap to Safer Roads, including the new distracted driving laws available online.

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