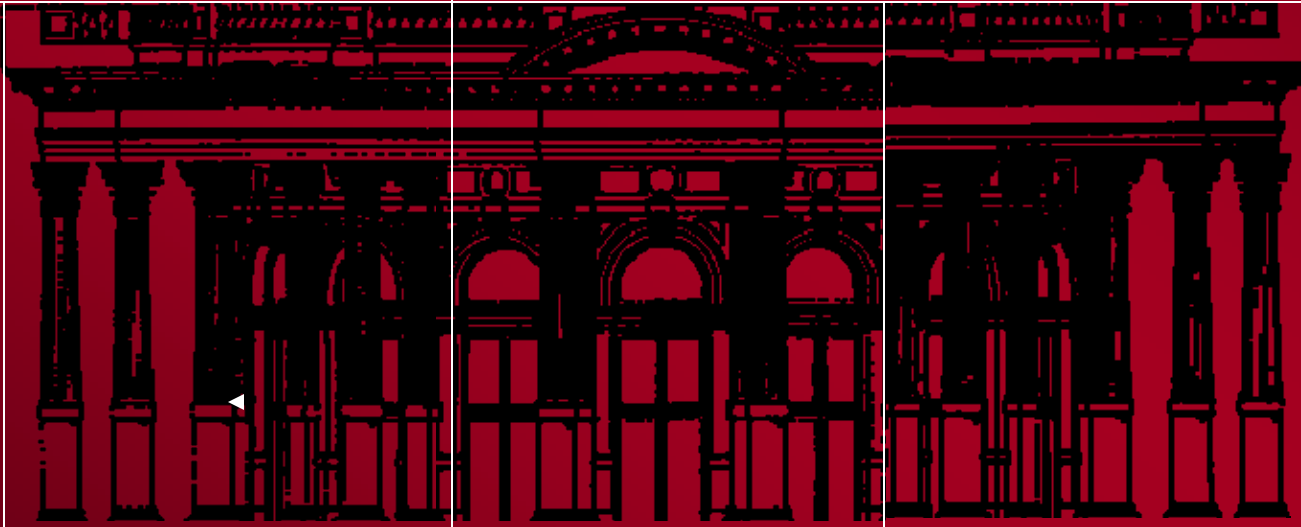




**NATIONAL CONFERENCE  
of STATE LEGISLATURES**

*The Forum for America's Ideas*

**State Legislative Update**  
Distracted Driving -- GHSA



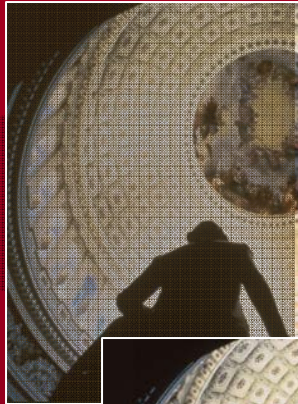
Savannah, Georgia  
September 2, 2009

# NATIONAL CONFERENCE of STATE LEGISLATURES

*The Forum for America's Ideas*

## NCSL

- Non-profit, bi-partisan organization
- Members are state legislatures, legislators and legislative staff in 50 states and U.S. territories
- NCSL was founded to:
  - improve the quality and effectiveness of state legislatures
  - promote policy innovation and communication among state legislatures
  - ensure state legislatures a strong, cohesive voice in the federal system
- NCSL staff provides research and technical assistance for legislators and creates opportunities for policymakers to exchange ideas on state policy issues

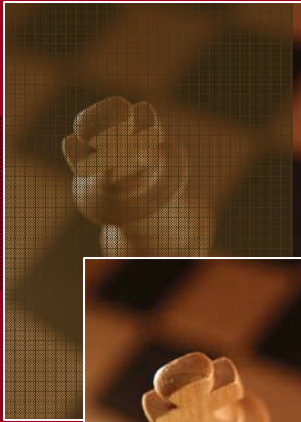


NATIONAL CONFERENCE  
*of* STATE LEGISLATURES

*The Forum for America's Ideas*

## NCSL Standing Committees

- Agriculture and Energy
- Budgets and Revenue
- Communications, Financial Services and Interstate Commerce
- Education
- Environment
- Health
- Human Services and Welfare
- Labor and Economic Development
- Legislative Effectiveness
- Redistricting and Elections
- Transportation

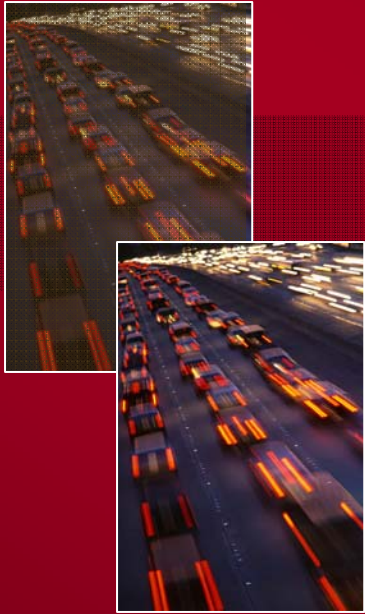


NATIONAL CONFERENCE  
*of* STATE LEGISLATURES

*The Forum for America's Ideas*

## NCSL Transportation Committee

- Meets three times each year (Spring Forum, Legislative Summit and Fall Forum)
- Committee members consider and vote on policy that will guide NCSL lobbying efforts related to transportation issues.
- Committee time is also used to discuss important topics and hear the latest from expert speakers.
- Committee members guide NSCL research staff on publication topics and other projects.



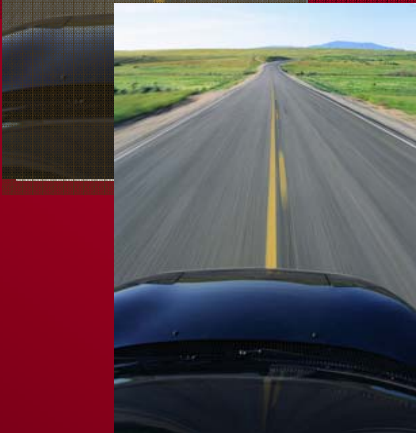
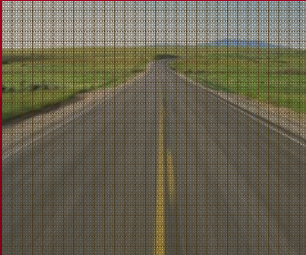
NATIONAL CONFERENCE  
of STATE LEGISLATURES

*The Forum for America's Ideas*

## Tracking Hot Topics

- Phone calls and emails from legislators and legislative staff
- Tracking web "hits"
- NCSL/NHTSA Traffic Safety Legislative Tracking Database-Over 1,500 bills in 50 states and DC introduced in the 2009 legislative sessions.

<http://www.ncsl.org/programs/transportation/trafsafdb.htm>







## State Traffic Safety Legislation

[Database Home](#)

*Last Updated: July 29, 2008*

NCSL has partnered with NHTSA to develop this traffic safety legislation database.

State(s):

- All States
- Alabama
- Alaska
- Arizona
- Arkansas
- California
- Colorado
- Connecticut
- Delaware
- District of Columbia

Keyword in Title or Summary:

Year:

Primary Sponsor:

Topic(s):

- Any Topic
- Aggressive Driving
- Automated Enforcement/Photo Monitoring
- Child Passenger Protection
- Driver's Licensing
- Impaired Driving
- Motorcycle Safety
- Pedestrian and Bike Safety
- School Bus Safety
- Seatbelts and Occupant Protection

Status:

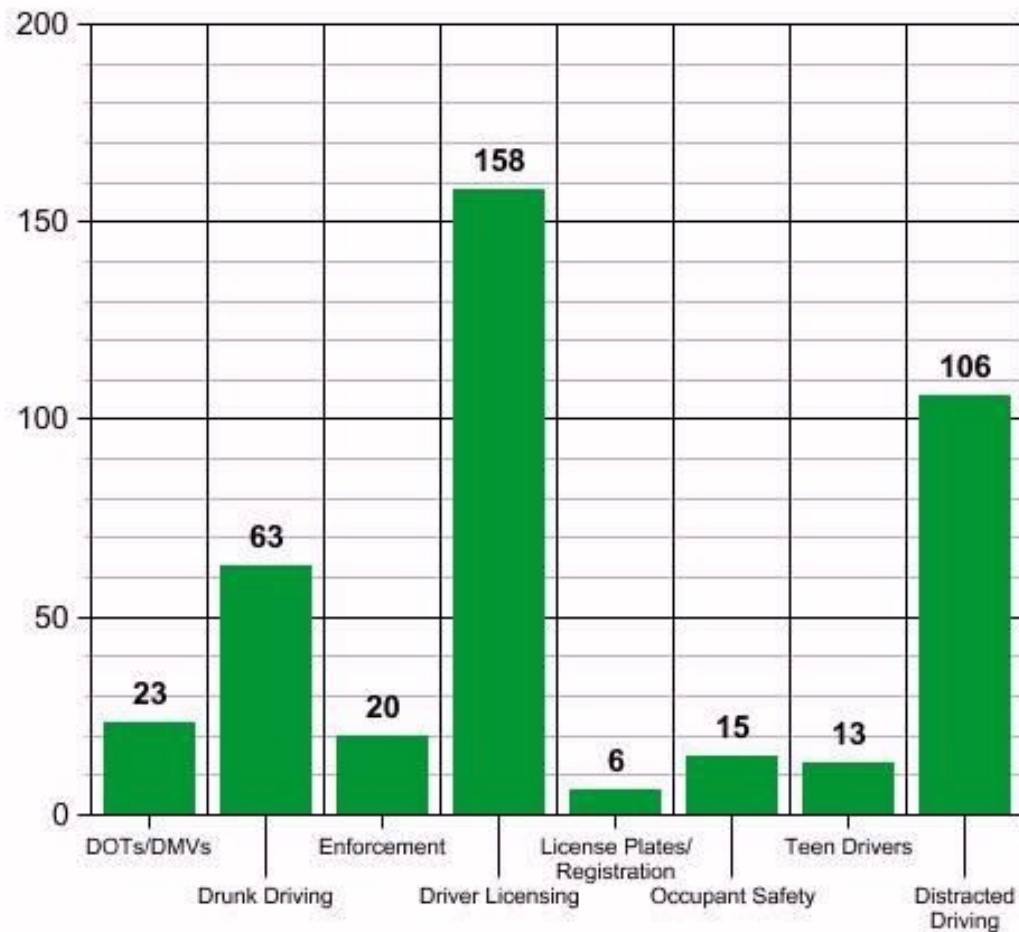
Bill Number:

NATIONAL CONFERENCE  
*of* STATE LEGISLATURES

*The Forum for America's Ideas*

# NCSL Transportation Program

Information Requests



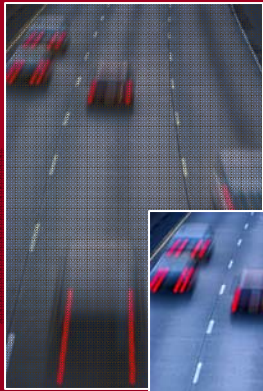
NATIONAL CONFERENCE  
of STATE LEGISLATURES

*The Forum for America's Ideas*

## NCSL's Distracted Driving Work

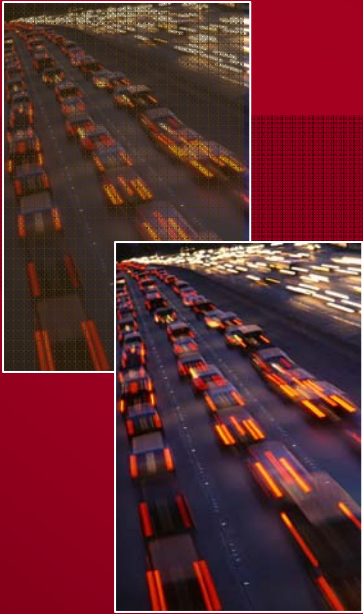
- Spring 2001 - Driver Focus and Technology Forum meetings begin.
- Group made up of state legislators, legislative staff, traffic safety groups (NHTSA, AAA, National Safety Council), Sprint, CTIA and other wireless providers.
- March 2002 - NCSL Report, *Along for the Ride*, released. Provides summary of forum meetings and makes policy recommendations.
- At the time, New York was the only state with a hands-free law. Arizona and Massachusetts had laws targeting school bus drivers.





## NCSL's Distracted Driving Work

- In 2001, 140 distracted driving bills debated in 43 states. 8 states passed laws (mostly requiring studies).
- The level of distracted driving legislation has remained fairly consistent over the years. Every state has, at some point, debated cell phone restriction legislation.



## State of Distracted Driving Laws

- Currently, CA, CT, NJ, NY, OR, UT, WA and DC have hands-free laws in place.
- 17 states plus DC have passed texting bans. (7 states have teen-only texting bans).
- 17 states plus DC prohibit school bus drivers from using cell phones while operating a bus.
- 21 states plus DC prohibit new drivers from using cell phones while behind the wheel.



## What happened in 2009?

- 202 bills up for consideration in 46 states. Up from 112 bills in 33 states in 2008.
- So far, 20 bills have passed in 13 states.
- AR, CO, IL, MD, NC, NH, TN, UT and VA passed texting bans.



## What happened in 2009?

- Arkansas and Colorado passed restrictions on teens.
- Oregon enacted a hand-held ban.
- Connecticut passed legislation allowing members of the armed forces to use hand-held cell phones while driving.



## What happened in 2009?

- Illinois and Texas enacted laws banning cell phone use in school zones.
- Virginia passed a bill prohibiting school bus drivers from using cell phones.
- The Louisiana House passed a resolution asking the Dept of Transportation and Dept of Public Safety to study the use of cell phones.
- Maine passed SB 15 creating a "Distracted Driving Law"



## What happened in 2009?

### Language from Maine law:

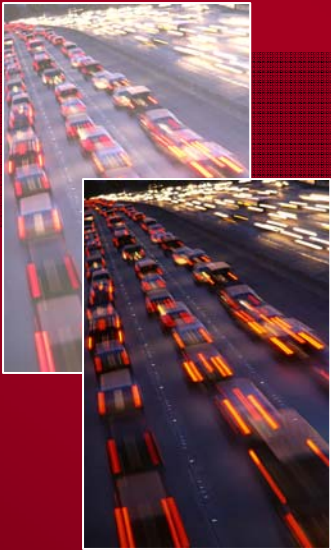
#### **§ 2117. Failure to maintain control of a motor vehicle**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Operation of a motor vehicle while distracted" means the operation of a motor vehicle by a person who, while operating the vehicle, is engaged in an activity:

(1) That is not necessary to the operation of the vehicle; and

(2) That actually impairs, or would reasonably be expected to impair, the ability of the person to safely operate the vehicle.



## Contact Information

- Melissa Savage  
Program Director, NCSL Energy,  
Environment & Transportation Program  
Phone: (303) 856-1527  
E-mail: [melissa.savage@ncsl.org](mailto:melissa.savage@ncsl.org)  
Web site: <http://www.ncsl.org>