



Sen. Deb Peters, South Dakota  
2017-2018 NCSL President



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- Provides non-partisan research & analysis
- Links legislators with each other and experts
- Speaks on behalf of legislatures in D.C.



**When you think of innovation, do you  
think of Government?**





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# When you think of innovation, do you think of Government?

## Federal Judge Rules Arizona's Diaper Changing Child Molestation Law Is Unconstitutional

By Mark Joseph Stern



Arizona cannot criminalize parenting.

Rajes/DigitalVision

Arizona accidentally criminalized parents changing diapers.



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# When you think of innovation, do you think of Government?

In Alabama, bear wrestling matches are prohibited.

## Is bear wrestling legal again in Alabama? AL.com vintage photos capture bizarre spectacle

14 Updated on March 7, 2016 at 10:01 AM, Posted on March 7, 2016 at 8:00 AM



Gallery: Bear Wrestling



By [Bob Gathany](#), [bgathany@al.com](mailto:bgathany@al.com)



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# When you think of innovation, do you think of Government?



In South Dakota, it is illegal to sleep in a cheese factory.



# What about innovation in highway safety?



# What about innovation highway safety?

## Washington distracted-driving law has drivers wondering if they can still drink coffee on the road

Originally published July 27, 2017 at 6:00 am | Updated July 28, 2017 at 1:16 pm



1 of 5 Washington State Trooper Marcus Sanchez tells a motorist Wednesday that it is illegal to wear earbuds in both ears while driving. This motorist was ticketed for not wearing a seat belt while driving southbound on... (Mike Siegel/The Seattle Times) [More](#) ▾

The confusion comes from a section of the law that treats non-electronic distractions as a secondary offense. Specific distractions are undefined, but lawmakers and officials have mentioned eating or drinking, applying mascara, reading a book, or having a dog on your lap.



Distracted driving laws incenting drivers to “text in their laps” to avoid detection, migrating to hands-free systems, which have been shown to offer little safety benefit over hand-held cell phones, or begging the question on the safety of seemingly innocuous tasks behind the wheel like eating or drinking.



# What about innovation highway safety?

Increased rural interstate speed limits leading to more crashes and costs for states.

AARJAN MARSHALL TRANSPORTATION 03.04.16 07:00 AM  
**RAISING SPEED LIMITS IS IRRESPONSIBLE, BUT STATES KEEP DOING IT ANYWAY**



Interstate 90 between Sioux Falls and Rapid City, Murdo, South Dakota. © LOVELY PLANET IMAGE/GETTY IMAGES



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# What about innovation highway safety?

## *Youth Driving Laws Limit Even the Double Date*

By KATE ZERNIKE AUG. 13, 2012



Pam Fischer, whose son, Zach, is about to take his driver's test, fought for stricter laws on teenage driving in New Jersey. Matt Rainey for The New York Times

- Teen driver GDL laws limiting double dating.
- 15 states now prohibit teenagers from driving with another teenager.
- South Dakota's minimum age, for instance, is 14, but because of agriculture.



# What about innovation highway safety?

Utah's recent change from .08 blood alcohol content to .05 resulted in unforeseen consequences for gun owners and run rights.



## Utah gun rights group takes aim at .05 DUI law

By Dennis Romboy | Posted Mar 22nd, 2017 @ 7:43pm

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# Key Take-Away's



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# Key Take-Aways

- Sometimes seeking to solve problems often fails to foresee negative “externalities”.
- Laws aiming to change human behavior, such as behavioral traffic laws, sometimes fail to take into account how drivers will actively (texting in their laps) or passively (red light rear end crashes) react in unexpected ways.



# Key Take-Aways

- Demonstrates that laws and enforcement are only one of many tools (education, engineering, technology) necessary to achieve safer roads.
  - Transportation safety does not exist in a vacuum.
  - Driving behaviors are often tied to broader social values and pressures.
  - We have to think about the big picture to craft policy that is acceptable to the public and effective at improving safety.

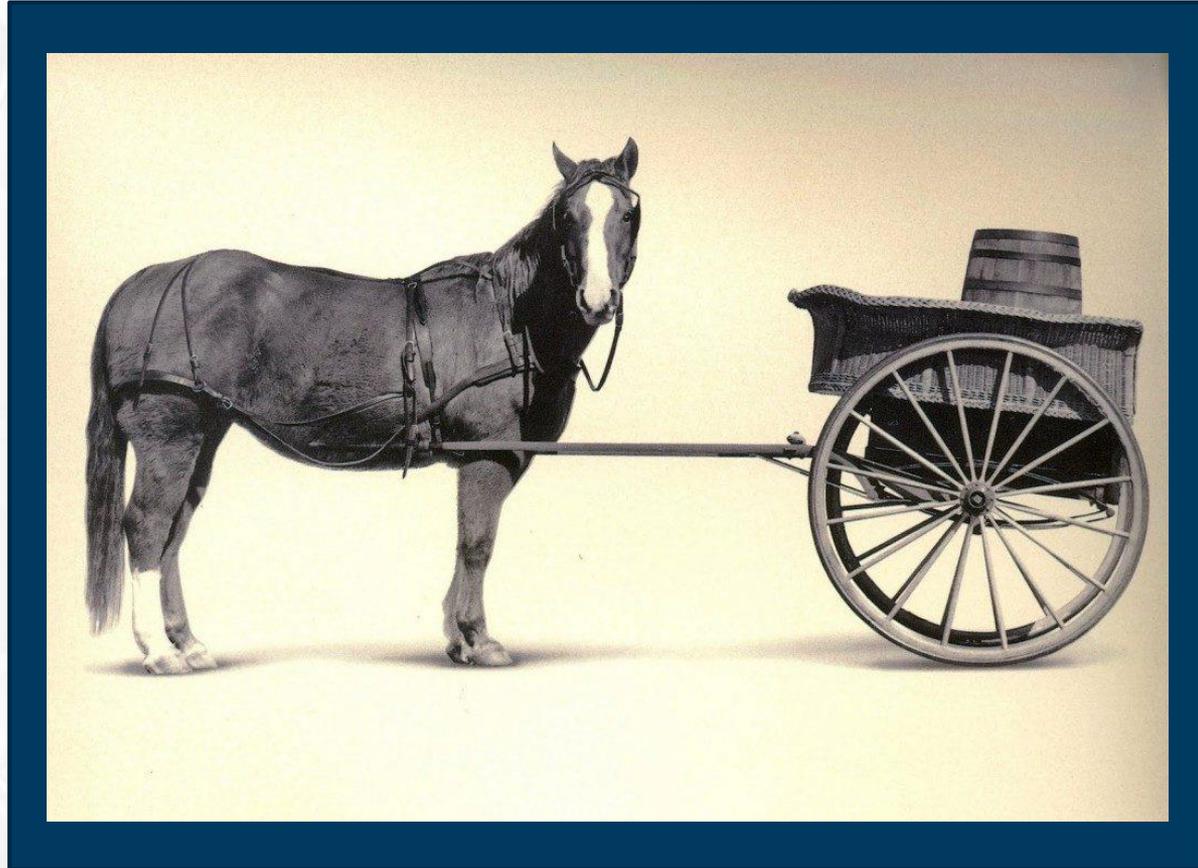


# Moving Forward



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- We as policy makers need to look broader than the initial focus.
- Don't put the cart before the horse...





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