



Commercial Drivers & Distracted Driving: Impacts To Your Bottom Line

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Driving presents significant risk of injury and property damage. And, driving while distracted increases these risks. Intuitively, most of us would agree that distracted driving magnifies the likelihood of crashes. Ongoing research has quantified those risks, leading State and Federal Regulatory agencies to enact tougher laws. During 2009 in the United States, 33,308 people were killed and 2,217,000 were injured as a result of Motor Vehicle crashes.¹ Of these, 16.5% of the fatalities and 20.2% of the injuries were the result of distracted driving.”²

In 2010, the Federal Motor Carrier Safety Administration (FMCSA) banned texting by commercial drivers. Most recently, effective January 3, 2012, all hand held cell phone use by commercial drivers was also banned. Some businesses incorrectly believe that FMCSA regulations do not apply to them since they only operate in one state, or, they do not have vehicles requiring operators to have Commercial Drivers Licenses. However, some states, including Massachusetts, have accepted Federal Regulations as state law. FMCSA regulations include all commercial motor vehicles with a gross vehicle weight rating over 10,000 lbs., certain vehicles transporting passengers, and vehicles transporting hazardous materials.

Local laws on cell phone use and texting should also be considered. In New England and New York, all states ban text messaging by all drivers. Only Connecticut and New York have banned the use of hand held cell phones as well. All states, except for NH, have banned cell phone use for “novice drivers”, under age 18. These bans are all primary offenses, meaning drivers may be cited without other violations.³ The National Transportation Safety Board and groups, such as FocusDriven, have gone so far as to recommend a complete ban on cell phone use and text messaging while driving.

Researching the Dangers of Distracted Driving

Virginia Tech Transportation Institute (VTTI) is a leading researcher that has employed sophisticated technologies in numerous large scale, real world, driving studies. Their research is the basis for many of the changes in the regulations, including the bans on texting and hand held cell phones. One of their recent studies⁴ concluded:

“talking/listening on a cell phone while driving was generally found not to impact significantly the odds of involvement in a safety-critical event (and was even found to decrease the odds significantly in some cases), while other cell phone sub-tasks (e.g., texting, dialing, reaching) were found to increase significantly the odds of involvement in a safety-critical event.”

Specific likelihood of a “safety critical event” (likelihood of crash situation) reported in the VTTI study included:

Task	Odds Ratio	Comments
Text message on cell phone	23.24	Highest Risk of all tasks studied.
Write on pad	8.98	
Reaching for object/other device	6.72	
Dialing cell phone	5.93	Diverts eyes away from roadway.

1 http://www.census.gov/compendia/statab/cats/transportation/motor_vehicle_accidents_and_fatalities.html

2 National Highway Safety Administration, <http://www.distraction.gov/>

3 http://www.ghsa.org/html/stateinfo/laws/cellphone_laws.html

4 <http://www.fmcsa.dot.gov/facts-research/research-technology/report/Distracted-in-Commercial-Trucks-and-Buses-report.pdf>

Personal grooming	4.48	Distraction goes beyond electronic devices.
"Cell phone use"	1.22	Implies any manner. Certain subtasks, (e.g. dialing") have greater impact than others.
Talk/Listen Hand Held Phone	1.04	Talking/listening to a cell phone allowed drivers to maintain eyes on the road and were not associated with an increased safety risk.
Talk/Listen Hands Free Phone	0.44	True "hands free" phone use, such as voice activated systems, are less risky if they are designed well enough so the driver does not have to take their eyes off the road often or for long periods

Without question, distracted driving does increase the likelihood of motor vehicle crashes. According to VTTI, "Driving is a visual task and non-driving activities that draw the driver's eyes away from the roadway, such as texting and dialing, should always be avoided."

Business Impact of Distracted Driving Violations

Violating the FMCSA bans can impose substantial fines—up to \$2,750 for drivers and \$11,000 for employers. States, however, may choose to set the amount at or below those levels. These violations are documented in a company's CSA Score, maintained by the Federal Motor Carrier Safety Administration, in the "Unsafe Driving" BASIC. Exceeding the threshold score of any CSA BASIC exposes employers to a compliance review by state or federal enforcement agencies.

Distracted Driving Safety Considerations

Employers, and drivers, are responsible to be knowledgeable and comply with applicable Federal and State agency regulations. Employers need to demonstrate that they have instructed drivers. If not already in place, all businesses should establish a written policy informing your drivers of your company's intent to comply with the bans on texting and hand held cell phone use.

Educating employees about the dangers of distracted driving may serve to decrease, if not eliminate, their cell phone use while driving. The US Governments website, <http://www.distraction.gov/>, provides compelling testimonies and information on distracted driving.

Many businesses have gone beyond these minimum standards by implementing total bans on cell phones while driving. **In a National Safety Council 2009 survey on cell phone policies, businesses with a distracted driving prevention policy reported over a 20 percent decrease in crashes and more than 70 percent reported an *increase* or no impact on productivity.**

For businesses seeking to institute a policy curbing distracted driving, the National Safety Council has a free how-to kit available at http://www.nsc.org/safety_road/Distracted_Driving/Pages/EmployerPolicies.aspx

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