

# Safety Spotlight

## The Dangers of Distracted Driving

### What is Distracted Driving?

There are three main types of distraction that can happen while driving:<sup>1</sup>

- Visual: taking your eyes off of the road;
- Manual: taking your hands off of the wheel; and
- Cognitive: taking your mind off of driving.

Distracted driving activities include: talking or texting on a cellphone, eating and drinking, talking to people in the vehicle, or adjusting a stereo/entertainment/navigation system. Sending or reading texts while driving can be one of the worst distractions because it takes the driver's eyes off the road for at least 5 seconds. At 55 mph, this is like driving the length of an entire football field with your eyes closed.<sup>2</sup>

### Consequences of Distracted Driving <sup>2</sup>

- In 2016, a total of 3,450 people were killed as a result of distracted driving.
- In 2015, a total of 391,000 people were injured in motor vehicle crashes involving distracted drivers.
- During daylight hours, approximately 481,000 drivers are using cellphones while driving, creating an enormous potential for deaths and injuries on U.S. roads.

### What Laws Affect Drivers in New York? <sup>3</sup>

- New York prohibits all drivers from using a portable electronic device and:
  - » Talking on a handheld mobile phone
  - » Composing, sending, reading, accessing, browsing, transmitting, saving, or retrieving electronic data such as email, text messages, or webpages
  - » Viewing, taking, or transmitting images
  - » Playing games
- Exceptions to the laws include:
  - » When the driver uses a hands-free mobile phone, which allows the user to communicate without the use of either hand
  - » Using a handheld electronic device that is affixed to a vehicle surface
  - » Using a GPS device that is attached to a vehicle
  - » When the purpose of the phone call is to communicate an emergency to a police or fire department, a hospital or physician's office, or an ambulance corps
  - » When operating an authorized emergency vehicle in the performance of official duties

<sup>1</sup> "Distracted Driving - Motor Vehicle Safety," Centers for Disease Control and Prevention, Centers for Disease Control and Prevention, 9 June 2017, [www.cdc.gov/motorvehiclesafety/distracted\\_driving/index.html](http://www.cdc.gov/motorvehiclesafety/distracted_driving/index.html).

<sup>2</sup> "Distracted Driving," NHTSA, National Highway Traffic Safety Administration, 5 Nov. 2018, [www.nhtsa.gov/risky-driving/distracted-driving](http://www.nhtsa.gov/risky-driving/distracted-driving).

<sup>3</sup> "Distracted Driving, Talking & Texting," Governor's Traffic Safety Committee, [safeny.ny.gov/phon-ndx.htm](http://safeny.ny.gov/phon-ndx.htm).



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### Violation Penalties and Fines in New York <sup>3</sup>

The penalty for a violation of this law is five (5) driver violation points. Since this is a primary law, officers can stop a driver if they are observed using a handheld device.

As of November 1, 2014, the following changes to the cell phone/texting laws for drivers with a probationary license, Class DJ, Class MJ, or a learner permit are in effect:

- Conviction will result in a mandatory 120-day driver license or permit suspension.
- Subsequent convictions within six months of a license restoration will result in revocation of at least one year of a probationary license, junior license, or learner permit.

As of November 1, 2014, maximum fines for cell phone and/or texting use while driving have increased:

- For a first offense, \$50 to \$200
- For a second offense committed within 18 months, \$50 to \$250
- For a third or subsequent offense committed within 18 months, \$50 to \$450

As of October 28, 2013, the following changes to the mobile phone/portable electronic device use for Commercial Drivers (CDL) include:

- A motor carrier must not allow or require their drivers to use mobile phones/portable electronic devices while driving.
- A mobile phone used by a person operating a commercial motor vehicle shall not be deemed a "hands-free mobile telephone" when the driver dials or answers the mobile telephone by pressing more than a single button.
- Commercial drivers are prohibited from making a phone call or using a portable electronic device while the vehicle is temporarily stationary because of traffic, a traffic control device, or other momentary delays.
- An operator of a commercial motor vehicle who holds a mobile telephone to, or in the immediate proximity of, his or her ear while the vehicle is temporarily stationary because of traffic, a traffic control device, or other momentary delays is also presumed to be engaged in a call.
- An operator of a commercial motor vehicle who holds a portable electronic device in a conspicuous manner while such vehicle is temporarily stationary because of traffic, a traffic control device, or other momentary delays is presumed to be using the device.



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*In 2015, a total of 391,000 people were injured in motor vehicle crashes involving distracted drivers.<sup>2</sup>* ”



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<sup>2</sup> This is a sample guideline furnished to you by Fleury Risk Management, Group Manager. Your organization should review and make the necessary modifications to meet the needs of your organization. The intent of this guideline is to assist you in reducing risk exposure to the public, personnel, and property.  
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