



## Executive Summary: Driven to Distraction

### Employer Policies Can Reduce Risks of Cell Phones & Driving

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#### Why is cell phone use while driving a problem?

Motor vehicle crashes are the No. 1 cause of workplace death and No. 1 cause of death for people ages 1 to 35, accounting for about 40,000 deaths each year in the United States (NHTSA). Beyond concern for the safety of employees, crashes are also costly to employers. An on-the-job crash costs an employer more than \$24,000, rising to more than \$125,000 if the crash involves injury (NHTSA). All employers face ongoing liability, insurance, productivity and absenteeism costs.

Driver distraction is a significant contributor to crashes. It is involved in 16 percent of fatal crashes. Talking and texting on cell phones while driving contributes to 28 percent of crashes.

Cell phones are prevalent – 87 percent of the U.S. population, or 270 million people, are wireless subscribers (CTIA). At any point in time, 11 percent of drivers on the road are talking on their cell phones (NHTSA). More than 80 percent of people admit to talking on their phones while driving, and almost 1 in 5 drivers admit to text messaging while driving (Nationwide Insurance). Various uses for wireless devices will continue to grow. Wireless devices are projected to replace the desktop computer as the primary Internet portal.

#### What are the risks?

Three types of distraction are:

- Visual – eyes on road
- Mechanical – hands on wheel
- Cognitive – mind on driving

Cell phones are unique from other forms of driver distraction because they can involve all three forms of distraction. Policymakers currently tend to focus on the visual and mechanical distractions. However, cognitive distraction is very risky because we do not always recognize we are cognitively distracted and this distraction lasts much longer than the other two types. There is a false perception that hands-free phones are safer than handheld. But research has found no difference in risk between handheld and hands-free phones.



# Cell Phone Policy Kit



Research shows specific risks faced by drivers talking on cell phones include:

- Four times more likely to be in injury-causing crashes
- More likely to commit driver errors and traffic violations
- Slower reaction time than drivers impaired at .08 blood alcohol level
- Looking but failing to see much of the driving environment
- Cognitive impairment – more than one-third of the brain's processing resources are drawn away from driving tasks

## **How do cell phones compare to other driver distractions?**

Talking on cell phones may not be the riskiest thing we do in our cars, but it is involved in the most distracted-driving crashes. Many other distractions are rare and/or occur for very short lengths of time. Cell phone conversations are common and can be lengthy.

Talking with passengers does not increase crash risk in the way that talking on a cell phone does. Adult passengers actually lower the crash risk and add a safety benefit to adult drivers: Passengers share awareness of the driving situation and can serve as “co-pilots.” People on the other end of cell phone conversations cannot provide this safety benefit or moderate their conversation when the driver faces a challenging traffic situation. Please note this is not true for novice teen drivers. Passengers and cell phones significantly increase the crash risk of teen drivers.

## **What are the implications for employers?**

Two major implications are the safety of employees and employer liability. Allowing employees to conduct business on cell phones while driving is to allow a four times increase in crash risk, according to the Insurance Institute for Highway Safety. Even higher risks are associated with text messaging and e-mailing while driving.

Jury awards and out-of-court settlements in recent years have included amounts of \$21.6 million, \$18 million, \$16.1 million, \$5.2 million and \$2 million. Scenarios included a mix of business and personal time, and company- and personal-owned phones and vehicles. Policies should be designed to protect employees and employers in all possible scenarios.

## **What solutions are available to employers?**

Even when people know the risks, voluntary compliance is very difficult. Education alone is not an effective solution. Safety, human resource and employment law experts recommend employers implement and enforce policies banning cell phone use while driving that include:

- Clear policy language
- Documented training and employee communication
- A requirement that employees read and sign the policy
- Disciplinary action with firm enforcement



Although not a shield from lawsuits, strictly enforced policies can help reduce risk of crashes, injuries and costly outcomes.

Among 2,000 National Safety Council members surveyed in 2009:

- 23.3 percent already have a policy banning both handheld and hands-free phone use while driving.
- 34.6 percent ban handheld devices while driving (not recommended).
- Many of these policies were passed over the past four years.
- Of members currently without policies, 36.1 percent plan to create a policy within the next 12 months.

Although productivity and employee accessibility is an initial concern of many, National Safety Council members and others have found employees were motivated to develop solutions to maintain productivity. More than 70 percent of National Safety Council survey respondents found increased productivity or no change after implementation of a cell phone and driving policy. Only seven companies (1.5 percent) reported a decrease in employee productivity.

Employer policies can support state laws and vice versa. However, no current state law addresses both hands-free and handheld phone use among all drivers for both talking and text messaging. Because no state law provides optimum prevention, we recommend employer policies exceed state law requirements. Technology may soon be available to automatically prevent cell phone use while driving, making it easier for employees to comply with policies and laws.

Disclaimer: Although the information and recommendations contained in this publication have been compiled from sources believed to be reliable, the National Safety Council makes no guarantee as to, and assumes no responsibility for, the correctness, sufficiency or completeness of such information or recommendations. Other or additional safety measures may be required under particular circumstances. Visit [distracteddriving.nsc.org](http://distracteddriving.nsc.org) for the latest material and updated content for the Cell Phone Policy Kit.