

Proposed Ordinance-No Texting While Driving

Two options are presented for Council review.

Option #1-Language consistent with Tucson and Phoenix Ordinances

Option #2-Language is consistent with Coconino County Ordinance

Option #1

“No Texting While Vehicle in Motion”

(Language consistent with Phoenix/Tucson Ordinance)

PROHIBITED /ILLEGAL ACTIVITIES SECTION A:

- A person shall not operate a motor vehicle or a bicycle on a street (or in the case of a bicycle on the sidewalk or trail as well) while using a handheld wireless communications device to:

Compose manually, send or read a written message for the purpose of non-voice interpersonal communication, including but not limited to texting, emailing and instant messaging, while the motor vehicle or bicycle *is in motion.*

THIS SECTION DOES NOT APPLY TO:

- Law enforcement and public safety personnel or drivers of authorized emergency vehicles as part of their official duties.

Option #1

ENFORCEMENT AND PENALTIES

- Any peace officer may stop a motor vehicle or bicycle if the officer has reasonable cause to believe a violation of this Ordinance is occurring.
- It is a primary violation.
- A violation of this article is a civil traffic violation. A person found to be in violation of this Ordinance is subject to a civil penalty of \$100 unless the violation causes a motor vehicle collision, then the fine is enhanced to \$250.

Option #2

“No Texting While Driving (while in physical control)” **(Language consistent with County Ordinance)**

PROHIBITED /ILLEGAL ACTIVITIES SECTION A:

- A person shall not drive a motor vehicle or bicycle while using a portable communications device to compose manually, send or read a written message for the purpose of non voice interpersonal communication, including but not limited to texting, emailing and instant messaging.

Does not apply to:

- 1.) Law enforcement or emergency-vehicle operators performing official duties
- 2.) Operation of a motor vehicle on private property
- 3.) Operators of a motor vehicle that is parked on non traveled portion of the roadway in a safe and legal location.

Enforcement/Penalties are the same as option #1

Definitions

DEFINITIONS:

- *Portable Communications Device:*

Any handheld mobile telephone, personal digital assistant (PDA), handheld device with mobile data access, laptop computer, pager, broadband personal communications device, two-way messaging device, electronic game, or portable computing device.

- *Motor vehicle,” “Drive” and “Driver”* have the same meaning as those terms are defined in Title 28, Chapter 1, Arizona Revised Statutes, Transportation

- *“Use” means:*

Holding a portable communications device and performing the illegal activities stated in Section A.

Questions & Discussion

Texting while Driving Research

A significant amount of research has taken place over the past 3 – 4 years. Some of the key findings are:

- Distractions affect driving performance
- Sending or receiving a text takes a driver's eyes from the road for an average of 4.6 seconds, at 55 MPH that equates to one football field.
- Drivers frequently are distracted, perhaps as much as half the time
- Distractions are estimated to be associated with 15 to 25 percent of all crashes
- Texting likely increases crash risk more than cell phone use
- In 2011, 3,331 people were killed in crashes involving a distracted driver. An additional 387,000 people were injured in motor vehicle crashes involving a distracted driver.
- In the month of June 2011, more than 196 billion text messages were sent, up 50% from 2009
- 11% of all drivers under the age of 20 involved in fatal crashes were reported as distracted at the time of the crash. This age group has the largest proportion of drivers who were distracted.
- Drivers who use hand-held devices are 4 times more likely to get into crashes serious enough to injure themselves.
- Driving while using a cell phone reduces the amount of brain activity associated with driving by 37%.
- Headset cell phone use is not substantially safer than handheld use
- The impairments associated with Cell phone driving and Legal Limit 0.08% BAC driving are similar

Texting while Driving Legislative History

- The Transportation Commission began discussing the dangers of texting while driving in 2010.
- In 2012 the Arizona State Legislature had 5 proposed bills of various versions prohibiting distracted driving
- Arizona currently prohibits School Bus drivers from using a cell phone when passengers are present.
- The cities of Phoenix (2007) and Tucson (2012) have enacted texting while driving prohibitions.

Distracted Driving...

- Operating a motor vehicle, while engaged in any other activity or activities.
- Three (3) types of distractions that can impact driving behavior:
 - *Visual*
 - Taking one's eyes off the road
 - *Manual*
 - Taking one's hands off the wheel
 - *Cognitive*
 - Taking one's mind off the basic task of driving
- If any of the above occur, then it negatively impacts the “ABC’s” of driving...(Accelerating, Braking or Cornering)

Distracted Driving...

Distracted driving is any activity that could divert a person's attention away from the primary task of driving. All distractions endanger driver, passenger, and bystander safety.

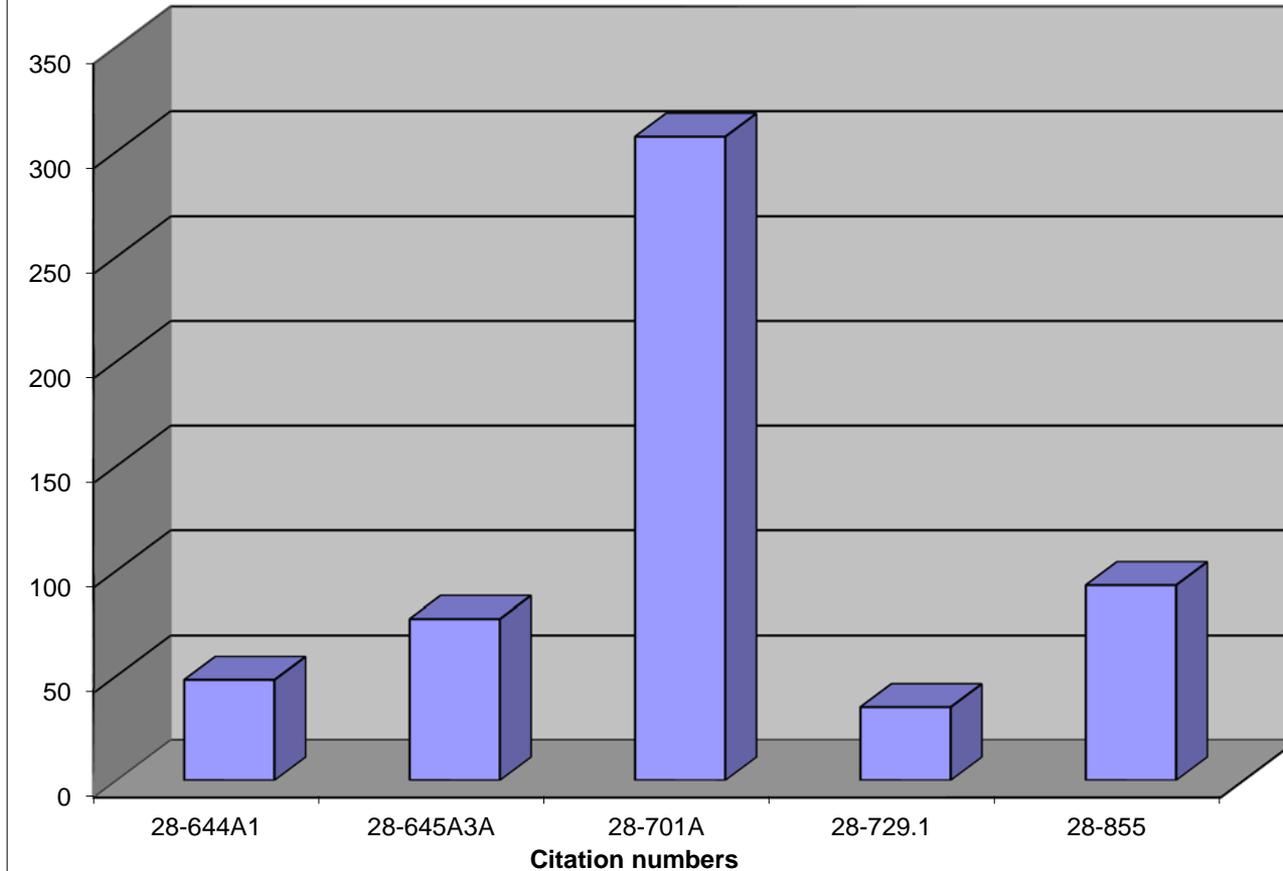
Common types of distraction are:

- Texting
- Cell phone or Smartphone use
- Eating and drinking
- Talking to passengers
- Grooming
- Reading, including maps
- Using a navigation system
- Adjusting the radio
- Combinations of the above

Listening to the radio is not commonly considered a distraction

Flagstaff Police Department

Highest Citations for 16-25 yr old Drivers
Dec 1, 2013-May 31, 2014



Flagstaff Police Department

Collision data January 2013 to July 2013

- Non-injury collisions = 1181
- Injury collisions = 194
- Total for a 7 month period =1375

- Of the 1375 collision investigating officer were able to establish that that cell phone use contributed to only 9 collisions.

- Inattention/Distraction was noted on 109 of the 1375 collision investigation reports.