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Friday Safety Brief®

State Laws on *Distracted Driving*

The number of states and territories that have enacted bans on hand-held devices and/or texting continues to increase. The following is the latest list, effective this month.

⊗ **Ban on hand-held devices has been enacted in:**

- California
- Connecticut
- District of Columbia
- New Jersey
- New York
- Oregon
- Washington
- Virgin Islands



⊗ **Texting ban has been enacted in:**

- Alaska
- Arkansas
- California
- Colorado
- Connecticut
- District of Columbia
- Illinois
- Louisiana
- Maryland
- Minnesota



- New Hampshire
- New Jersey
- New York
- North Carolina
- Oregon
- Rhode Island
- Tennessee
- Utah
- Virginia
- Washington
- Guam

⊗ Some states ban cell phone use in school zones or construction sites, and some place restrictions on novice drivers and school bus drivers.

⊗ Six states have laws that prohibit local jurisdictions from enacting restrictions (Florida, Kentucky, Louisiana, Mississippi, Nevada and Oklahoma). In other states, localities are allowed to ban cell phone use or texting while driving.

CSA 2010

The following table covers five (5) BASICS that relate directly to the actions of the driver:

BASIC	Operational Definition	Example Violations	Data Sources
Driver Fitness Parts 383 & 391	Operation of commercial motor vehicles by drivers who are unfit to operate them because they lack training, experience, or medical qualification.	Failure to have a valid and appropriate commercial driver's license and being medically unqualified to operate a CMV	<ul style="list-style-type: none"> • Roadside inspections • Crash reports citing a lack of experience or medical reason as a cause or contributing factor • Compliance reviews
Unsafe Driving Parts 392 & 397	Dangerous or careless operation of commercial motor vehicles.	Speeding, reckless driving, improper lane change, and inattention, and other unsafe driving behavior	<ul style="list-style-type: none"> • Driver traffic violations and convictions
Fatigued Driving Parts 392 & 395	Driving commercial motor vehicles while fatigued.	HOS, logbook, and operating a CMV while ill or fatigued	<ul style="list-style-type: none"> • Hours-of-service violations • Crash reports with driver fatigue cited as a contributing factor
Controlled Substances /Alcohol Part 392	Operation of a commercial motor vehicle while impaired by or in possession of alcohol, illegal drugs, or any other substance that renders the driver incapable of safely operating a motor vehicle.	Use or possession of controlled substances or alcohol	<ul style="list-style-type: none"> • Roadside inspections • Crash reports citing driver impairment or intoxication as a cause
Crash Indicator	Histories or patterns of high crash involvement, including frequency and severity. Miles carrier logs verses number of accidents		<ul style="list-style-type: none"> • Law enforcement crash reports • Crashes reported by the carrier that are discovered during on-site investigations