



 THE UNIVERSITY OF IOWA

Cell Phone Use While Driving: Effects and Legislation

Distracted driving is when a driver's attention is diverted from the safe operation of the vehicle. Examples of distractions include music, passengers, food, and scenery. In recent years, cell phones have become a major source of distraction. State governments have responded by passing a variety of laws to discourage cell phone use while driving.¹ This I-CAN report examines the effects of cell-phone use while driving and how states are dealing with this issue.

Effects of Cell Phone Use on Driver Safety

The National Highway Traffic Safety Administration (NHTSA) estimates that distracted driving contributes to 25% of all police-reported traffic accidents. The most common distraction is cell phone use, which increases the likelihood of an accident by approximately 300%.²

Since 1995, cell phone use has increased by over 600% in the U.S. As of 2005, there were over 10 million cell phone subscribers, and estimates suggest that between 50-70% of these people

¹ Matt Sundeen. "Cell Phones and Highway Safety: 2005 State Legislative Update." National Conference of State Legislatures. <http://www.ncsl.org/print/transportation/cellphoneup805.pdf>.

² National Highway Traffic Safety Administration (NHTSA). "Drowsy and Distracted Driving." <http://www.nhtsa.dot.gov/portal/site/nhtsa/menuitem.54757ba83ef160af9a7ccf10dba046a0/>.

have used cell phones while driving.³ At any given time during the day, there are approximately 974,000 vehicles being driving by a person on a cell phone. This is roughly one in ten vehicles.⁴

Twelve states have published data on cell phone use during accidents.⁵ These studies report that cell phones are a factor in less than 1% of accidents, but this figure almost certainly underestimates cell phone use because the data are based primarily on self-reporting by drivers and eyewitness accounts.⁶

Cell Phone Legislation

Every state has considered legislation related to driver distraction. Currently, 18 states and Washington D.C. have passed laws regulating driver cell phone use.⁷ The most common types of legislation are those limiting the use of cell phones by young adults (13 states) and school bus drivers (12 states).

A summary of state cell phone legislation is displayed in Figure 1. This figure also includes states that have legislation requiring automobile accident investigators to collect data on cell phone use. Iowa law currently requires only accident data collection.

Figure 1⁸

States⁹ with Cell Phone Laws	Hand-held Phones Prohibited	Teen Driver Regulations¹⁰	School Bus Driver Regulations	Data Collection
Alaska				X
Arizona			X	
Arkansas			X	
California	X (7/1/08)		X	X
Colorado		X		X (1/07)
Connecticut	X	X	X	X
Delaware		X	X	X
District of Columbia	X	X	X	under consideration
Florida ¹¹				X
Illinois		X	X	X

³ Matt Sundeen. "Cell Phones and Highway Safety: 2005 State Legislative Update." National Conference of State Legislatures. <http://www.ncsl.org/print/transportation/cellphoneup805.pdf>.

⁴ Donna Glassbrenner. "Driver Cell Phone Use in 2005 – Overall Results." National Highway Traffic Safety Administration (NHTSA). Dec. 2005. <http://www-nrd.nhtsa.dot.gov/pdf/nrd-30/NCSA/RNotes/2005/809967.pdf>.

⁵ These states are California, Florida, Michigan, Minnesota, Montana, Nebraska, New York, Oklahoma, Pennsylvania, Tennessee, Texas, and Wisconsin.

⁶ Matt Sundeen. "Cell Phones and Highway Safety: 2005 State Legislative Update." National Conference of State Legislatures. <http://www.ncsl.org/print/transportation/cellphoneup805.pdf>.

⁷ Ibid.

⁸ Eighteen states have no cell phone use legislation: Alabama, Georgia, Hawaii, Idaho, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Hampshire, New Mexico, North Dakota, Ohio, South Carolina, South Dakota, Vermont, Wisconsin, and Wyoming.

⁹ Several local jurisdictions, such as Chicago, Santa Fe, and Miami-Dade County, also have cell phone regulations.

¹⁰ Ages included in this type of legislation vary by state.

¹¹ Cell phone use is permitted in Florida as long as the cell phone only requires one ear.

Indiana				X
Iowa				X
Maine		X		
Maryland		X		X
Massachusetts ¹²			X	X
Michigan				X
Minnesota		X		X
Montana				X
Nebraska				X
Nevada				X
New Jersey	X	X	X	X
New York	X			X
North Carolina		X		X
Oklahoma				X
Oregon				X
Pennsylvania				X
Rhode Island			X	
Tennessee		X	X	X
Texas		X	X	X
Utah				X
Virginia				X
Washington				X
West Virginia		X		
Total (including D.C.)	5	13	12	27

Sources: AAA Public Affairs. "State Distracted Driving Laws." Nov. 1, 2006.

<http://www.aaexchange.com/Assets/Files/2006113166360.DistractedDrivingLaws1.doc>

Governors Highway Safety Association. 2006. http://www.ghsa.org/html/stateinfo/laws/cellphone_laws.html.

The effectiveness of cell phone legislation is still being studied, and no substantial conclusions have yet been reached. Because most research suggests that hands-free phones are just as likely to be a factor in accidents as hand-held phones, the effectiveness of legislation banning only hand-held phones is uncertain. Research indicates that while New York experienced an initial decline in driver cell phone use after banning hand-held devices in 2001 (2.3% to 1.1% of drivers at any given time), rates had increased to near pre-ban levels (2.1%) by 2003.¹³

This report was prepared in November, 2006 by the Iowa Civic Analysis Network (I-CAN), a non-partisan public policy undergraduate research group at the University of Iowa. For additional research on this or other issues, please visit our website at <http://www.uiowa.edu/~ican> or contact us at studorg-i-can@uiowa.edu.

¹² Cell phone use is permitted in Massachusetts as long as it does not interfere with vehicle operation and the driver keeps one hand on the wheel.

¹³ Matt Sundeen. "Cell Phones and Highway Safety: 2005 State Legislative Update." National Conference of State Legislatures. <http://www.ncsl.org/print/transportation/cellphoneup805.pdf>.