

**Pennsylvania House Transportation Committee**  
**Distracted Driving Legislation- HB 892 and HB 1684**  
**Pennsylvania State Police Perspective**  
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**Presented By**  
**Major Edward Hoke**  
**Director, Bureau of Patrol**

Good afternoon Chairmen Taylor and Keller and members of the House Transportation Committee. I am Major Edward Hoke, the Director of the Bureau of Patrol of the Pennsylvania State Police (PSP). I appreciate the opportunity to offer testimony this afternoon on PSP's perspective regarding House Bills 892 and 1684, which focus on prohibiting distracted driving.

The responsibility of improving highway safety is a core function of policing and is one that is taken very seriously by all Pennsylvania law enforcement agencies. The PSP and municipal police officers from across the Commonwealth work hard every day to enforce the traffic laws to prevent crashes and to improve highway safety. According to the Pennsylvania Department of Transportation's (PennDOT) 2016 state-wide crash statistics, there were 129,395 reportable crashes in which 1,188 people lost their lives and another 82,971 people were injured. To put these numbers into perspective, the total for reportable traffic crashes in 2016 was the thirteenth lowest since 1950 when 113,748 crashes were reported. While the causes of crashes often vary, the use of alcohol and/or drugs and speeding have been identified as the two most frequent contributing factors in fatal crashes. Of particular interest to this discussion is the fact that distracted driving was also identified as a causal factor in 2016 in 61 of the fatal crashes that claimed the lives of 69 people. PennDOT's distracted driving crash statistics also show that a hand-held cellular phone was in use in 1,146 crashes resulting in 8 fatalities and 701 injuries. To a lesser degree, a hands-free cellular phone was determined to have been in use in 83 of the crashes resulting in 1 fatality and 70 injuries. A distracted driving crash is one in which the investigating law enforcement agency has confirmed that the primary causal

factor for the crash was inattentive driving. While distracted driving is most commonly thought of today as texting and driving, it also includes such actions as eating, grooming or talking to passengers in the vehicle or on a cellular phone. Any action or activity that causes a driver to divert or focus their visual, physical or cognitive attention away from the conscious act of controlling a vehicle while navigating the road can significantly increase the likelihood of a crash occurring. For example, a vehicle moving at 65 miles per hour travels approximately 95 feet per second. In the few seconds that it would take a driver using a hand-held phone to complete a call, it is not hard to conceptualize how a crash could occur even if the driver's distraction was brief. Drivers need to focus all their attention on the dynamic task of operating a vehicle to avoid potentially deadly consequences.

While the current crash statistics for distracted driving are alarming, the true magnitude of this problem may be under reported. Law enforcement often faces many challenges when trying to determine if a driver's distraction was truly a contributing causal factor in a crash. The passage of H.B. 1684, which seeks to prohibit a driver from using a hand-held cellular phone while the vehicle is in motion and imposes a presumption that the driver was engaged in a call if the device is held to or in close proximity of the operator's ear, would certainly serve to reduce the opportunity for distraction by a driver by prohibiting the conduct completely except for emergencies.

The passage of House Bill 892 and 1684 would be an important step forward in helping to reduce the likelihood of distracted driving crashes. By prohibiting a specific action, the legislation is also lessening an opportunity for distraction. If the legislation

were to pass, voluntary compliance would seem to be encouraged by the consequence of the assignment of points upon a conviction for a violation.

Well-crafted legislation is essential to ensuring that police officers have the statutory authority necessary to keep our highways safe. Both bills would enhance that authority.

Regardless of the challenges now and in to the future, the PSP and our municipal law enforcement partners remain committed to protecting and serving the citizens and visitors of this Commonwealth.

Thank you for the opportunity to provide you with our perspective today. I would be happy to answer any questions you may have regarding this testimony.