Electronic Device Prohibitions

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Distracted Driving Facts

• NHTSA reported (2012), driver distraction was cause of 18% of fatal crashes (3,328 deaths with 421,000 add’l injuries)
• Va. Tech Transportation Institute found text messaging creates a crash risk 23 x greater than driving while not distracted
• 11% of drivers aged 18-20 involved in crashes (and survived) admitted to sending/receiving texts while driving
• Tx A & M Health Science Center School of Public Health study found car crash rates declined between 2003 & 2010 by 7% in states that implemented texting bans
  - Unable to draw a direct relationship, but correlation suggested
Distracted Driving Facts

• University of Utah Dept. of Psychology study found the following comparisons between cell phone using drivers & drunk drivers:
  - Cell Phone users were
    • Involved in more rear-end collisions,
    • Had a 7.5% greater following distance
    • Took 14.8% longer to recover speed lost during breaking
  - Drunk drivers tended to brake 26.1% harder than cell phone using drivers
  - Study found no statistical difference between the use of hand held & hands-free devices
Cell Phone/Texting Laws

• Per Insurance Institute for Highway Safety:
  – 14 states & D.C. ban use of hand held devices
  – 37 states & D.C. ban use of cell phones by novice drivers (including Texas)
  – Texting is banned for drivers in 46 states & D.C. (Texas, Missouri, Montana & Arizona do not)
  – According to TxDOT, at least 40 Texas cities have enacted city wide texting bans; in Houston Metro Area:
    • Bellaire
    • Conroe
    • Galveston
    • Missouri City
    • Tomball
    • West University Place
Wireless Communications Device

- Wireless Communications Device is defined as a device that uses a commercial mobile service as defined by 47 U.S.C. Section 332.
  - Cell phones
  - Tablets
  - Laptops, if connected to a mobile service
Texas Transportation Code

- Allows Municipalities to prohibit Cell Phone use in School Zones
  - Must post sign at entry to every school zone in the jurisdiction
    - Signs must state that:
      - Wireless Communication Device use is Prohibited
      - Vehicle Operator using a wireless communications device is subject to a fine
Texas Transportation Code

• Allows cities to prohibit use of Wireless Communications Devices while driving throughout the city
  - City must post signs at each entry point into a city from a State, U.S. or Interstate highway
  - Signs must state that:
    • Wireless Communications Device use within the city is Prohibited
    • Vehicle Operator using a wireless communications device is subject to a fine
Defenses

- Used to make an emergency call
- Vehicle was stopped
- Operator is using a hands free device
- If prohibition is only for school zones, a sign was not posted at the entrance to the school zone
What This Means for Houston

• Cell Phone Ban in School Zone
  - Approximately 8000 entry points
  • Some School Districts have installed some signs (less than 1000)
  - Signs cost approximately $150 each to install
  - Total est. cost: $1.05M to $1.4M
What This Means for Houston

• City Wide Texting Ban
• Roughly 44 entry points on State, U.S. & Interstate Highways
  – Toll Roads not included
  – May need 2 signs (main lanes & feeder roads)
• Facilities maintained by TxDOT & sign installation cost est. up to $625 each
• Conservative estimate (88 signs): $55,000