

California's Hands-Free Law: Will It Make a Difference?

Jed Kolko



The Punch Line

Yes:
The law will save lives



Outline

- The debate
- Evidence from other states
- Effect of California's law



What the New Law says

- All drivers must use hands-free technology if talking while driving
 - Dialing and texting while holding a phone are permitted but discouraged
 - Primary infraction: Sufficient reason to get pulled over
 - \$20 base fine, no points
- Drivers under 18 may not use mobile devices while driving, period
- Takes effect July 1st



How the Law Came About

- First introduced by Joe Simitian in 2001
- Signed by governor in September 2006
 - Unexpected support
- Key argument: Reduce physical distraction, if not mental distraction
 - CHP data: Phones are #1 inattention factor
 - But factors rarely recorded



Case Against Hands-Free Laws

- Drivers might think talking hands-free is safe
- Hard to determine cause of a collision
- Observational studies show hands-free and hand-held phones are similarly risky
 - Both equally distracting
 - Similar to driving drunk
 - Dialing more risky than talking
- Many other activities are distracting
 - Why single out phones?



Challenge of Evaluating the Law

- Observational studies don't account for behavioral changes when laws take effect
- Can't extrapolate from voluntary hands-free users
- Solution: See what happened in states with hands-free laws



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Hands-Free Laws in Effect

- All affluent countries except United States
 - Japan (1999)
- A few states and localities
 - New York (2001)
 - Connecticut, New Jersey, D.C. (2004-2005)
 - Chicago, Santa Fe, other cities
- Debated in many state legislatures



Some Nations Take It Very Seriously



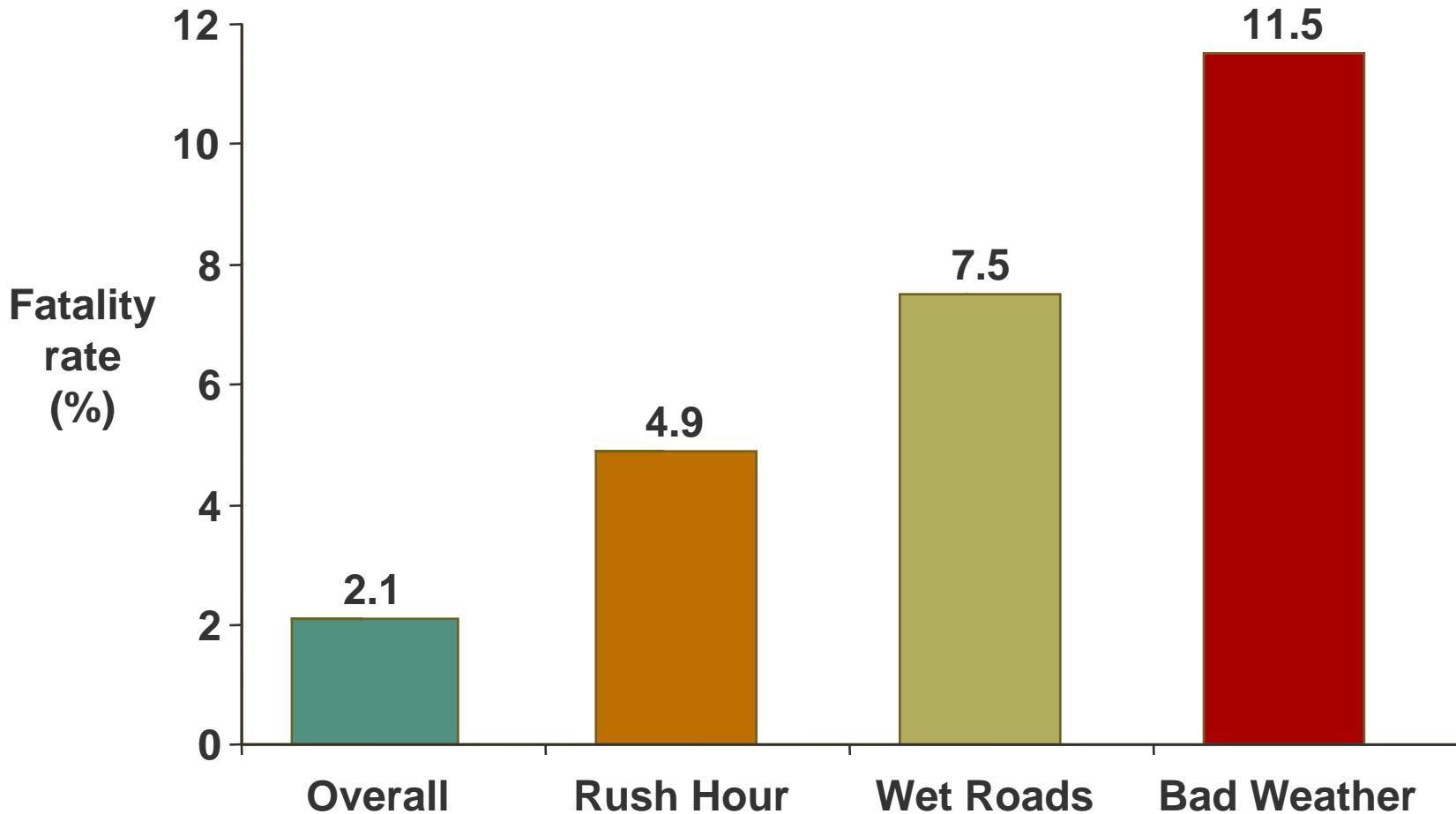
How We Assessed the Effects

- Compared state traffic fatality rates over time with ...
 - Level of mobile phone ownership
 - Whether hands-free law were in effect
- Held other state characteristics constant
- Fatality Analysis Reporting System
 - Consistent national data on fatalities
 - Extremely detailed
 - Excludes non-fatal collisions
 - No usable information on mobile phones



Mobile Phones Increase Traffic Fatalities

10% increase in mobile phone ownership



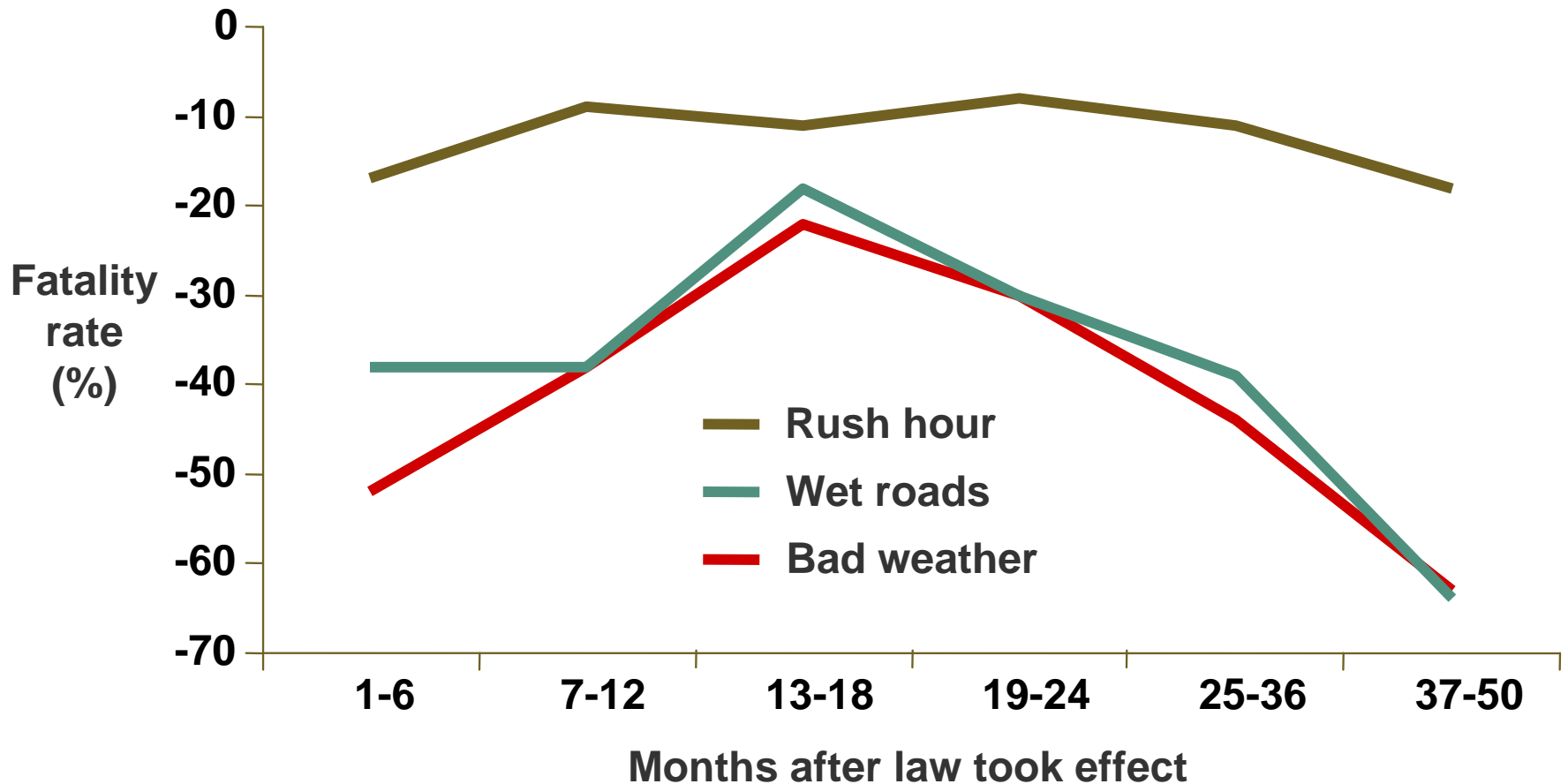
Fatalities Decline with Hands-Free Laws

- In hands-free states, fatalities during poor driving conditions declined dramatically
- Effect persisted in New York even 3+ years after initiation of law



Initially and Over Time: Hands-Free Laws Save Lives

Change in fatality rate compared to pre-law fatalities



Why Do Hands-Free Laws Work?

- Fatalities drop after laws take effect, *but* cognitive studies show hands-free is no less distracting
- Laws might ...
 - Encourage drivers to think before talking
 - Reduce talking overall if hands-free technology is cumbersome
- Can't tell exactly why the laws work so well



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Should Save 300 Lives a Year

- 4,000+ people die on California roads every year
- Bad weather and wet roads are rarer here
- Fatalities during poor conditions should decline by 300: 7% of overall fatalities



The Challenge of Enforcement

- The law is clear
 - But enforcement, as in many cases, is discretionary
 - Least likely when phone use is most dangerous
- Minor penalties: \$20 fine first-time, no points
- Excludes high-risk phone actions: dialing and texting



Minimal Public Education Campaign

- Public education could have compensated for enforcement challenges
- But law provided no funds for public education
 - FAQ's on CHP and DMV websites, but no paid public service announcements
- Similarly, little public education in New York



So How Well Will the Law Work?

- The law itself is a form of public education, which could encourage people to ...
 - Use phones less
 - Use more discretion
- Reduced fatalities elsewhere suggest that hands-free laws *do* change behavior
 - Some people go beyond the letter of the law
- Enforcement, public education, and media should focus on adverse driving conditions



Conclusions

- Mobile phones increase traffic fatalities, and hands-free laws lower fatalities
- Phone use and hands-free laws affect fatality rates in poor driving conditions
- California's law will save lives: People will change their driving behaviors
- Enforcement and education, wherever possible, should discourage distracted driving in poor conditions



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