

“Distracted Driving”

Updating Rules on Cell Phone Use While Driving



Outline

1. Scope of the problem and Government Response
2. Challenges
3. Opportunities
4. Initiatives
 - Proposed Rule Changes
 - Driver Accountability and Enforcement
 - Education/ Public Outreach
 - Driver
 - Passenger
5. Next Steps

Scope of the Problem and Government Response

Recent studies (University of Utah, Virginia Tech, etc.) show that distracted drivers are dangerous.

- The TLC was the first to prohibit the use of both handheld and hands-free cell phones while driving in **1999**.
- New York State banned the use of handheld cell phones while driving in **2002**, and just this past summer included a ban on texting while driving.
- **15** states have laws on the books that prohibit drivers from talking on a **handheld** cell phone while driving, making it a primary enforcement action.
- Currently **18** states ban **texting** while driving.
- Federal Department of Transportation recently convened a working group of transportation agencies to study the problem. Proposals include:
 - Restrictions on the use of cell phones by subway and train operators, truck, school bus and interstate drivers.
- The National Safety Council is calling for a nationwide ban on using cell phones and messaging devices while driving.

Challenges

Despite the prohibition, drivers continue to use their phones and other types of technologies.

Enforcement in the field has become more difficult because of recently-emerging technology, most notably Bluetooth devices.

“Operation: Secret Rider” was developed to enforce against various types of violations that impact safety and customer service, including the use of cell phones.

- *Just under 50% of all Secret Rider summonses are cell phone related.*

TLC-regulated drivers are paid to deliver a premium service that should appropriately include 100% driver focus and attention.

Opportunities

TLC sees an opportunity to enhance customer service by:

- Strengthening rules by developing a “Distracted Driving Program”;
- Improving driver education, course curricula;
- Educating passengers on their rights and service standards including the prohibition against driver cell phone use;
- Continue to be ahead of the regulatory curve to ensure safe and quality transportation services in the City of New York.

Initiative #1

Proposed Rule Changes

Current Rule prohibits the use of cell phone while driving unless the vehicle is stopped or parked.

Proposed rule changes will strengthen rules that will apply to all TLC regulated drivers.

Proposed rules will also address:

1. New Technologies:
 - a) Cover different means of communicating: BlackBerrys, factory-installed hands-free devices, Smart Phones, portable gaming devices, etc.
 - b) Include different types of communication: texting, email, pictures, surfing the Web, gaming, etc.
 - c) Address the ways people now communicate: prohibit drivers from using or even wearing Bluetooth or other devices.
 - d) Allow exemptions for specified “emergency” use.
2. Increasing fines to act as a deterrent.
3. Look for ways to enhance driver accountability for Cell Phone violations by:
 - a) Increasing points under the Persistent Violator Program, which may lead to TLC license revocation or suspension.
 - b) The Distracted Driver Program: A new program that assigns points for TLC and DMV violations.

Initiative #1 (cont.)

Accountability & Enforcement

Proposed rules will help our enforcement efforts:

- Enhance TLC enforcement capabilities;
- Increase Driver Accountability and Responsibility;
 - Distracted Driver Program:
 - Assigning points for DMV and TLC Cell phone convictions;
 - **1** cell phone use conviction will result in an increased fine, and a safety refresher course;
 - **2** cell phone use convictions within a **15-month** period will result in an incrementally higher fine, a **30-day** suspension and a mandatory safety refresher course;
 - **3** cell phone use convictions within a **15-month** period will result in an incrementally higher fine and **license revocation**.

Initiative #2

Driver Education and Passenger Outreach

Driver Education:

- Revise curriculum at Taxi Schools to specifically focus on dangers of cell phone use and texting:
 - *Pre-Licensure education*
 - *Reinforcement at mandatory continuing education course after 1 year*
 - *Safety Refresher Courses for violators*
- Develop written materials: brochures, posters, industry notices, Web site information.
- Direct outreach to Industry stakeholder groups.

Passenger Outreach:

- Better educate passengers on current rules banning use of Cell Phones and other communication technology.
- Highlight TLC phone court process
- Develop education campaigns:
 - Public Service announcements on passenger monitors that stress rules, 311 and court process.
 - Informational Stickers in rear of vehicles emphasizing rules.

Next Steps

- Propose New rules:
 - Develop and publish rules.
 - Public hearing in November or December.