

Safety Zone: Distracted Driving Causes Deadly Auto and Trucking Accidents

Motor vehicle crashes are a leading cause of work-related fatalities in the U.S. every year. A large portion of these deaths is caused by distracted driving, which occurs when a driver's attention is on anything other than driving.

Chief among the distractions is the use of electronic devices, such as cellphones used to talk, listen, text, etc. Even reaching for a cellphone or using a hands-free device takes a driver's focus off the road.

Distracted driving has become an epidemic in the U.S. It is a threat to your workers, their families, your business and the public. It also places your workers' compensation and liability policies at risk.

AmTrust supports the efforts of the Department of Labor (DOL), the Department of Transportation (DOT), the National Safety Council, The National Highway Traffic Safety Administration (NHTSA), OSHA and many other organizations that are on a mission to stop distracted driving to prevent injuries and save lives. Additionally, legislatures across the country have taken significant steps to restrict cellular device usage while operating motor vehicles:

Handheld cellphone use ban

24 states, D.C., Puerto Rico, Guam and the U.S. Virgin Islands prohibit all drivers from using handheld cellphones while driving.

All cellphone ban

No state bans all cellphone use for all drivers, but 36 states and D.C. ban all cellphone use by novice or teen drivers, and 18 states and D.C. prohibit any cellphone use for school bus drivers.

Text messaging ban

48 states, D.C., Puerto Rico, Guam and the U.S. Virgin Islands ban text messaging for all drivers.

Missouri prohibits text messaging by drivers 21 years old or younger.

Other states prohibit handheld cellphones or all cellphone use by all or certain drivers in certain zones.

SOURCE: <https://www.ncsl.org/research/transportation/cellular-phone-use-and-texting-while-driving-laws.aspx>

FMCSA has published new rules that restrict texting and the use of hand-held mobile phones by truck and bus drivers while operating a commercial motor vehicle (CMV). Research commissioned by FMCSA shows the odds of being involved in a safety-critical event (e.g., crash, near-crash, unintentional lane deviation) are 23.2 times greater for CMV drivers who text while driving than for those who do not. A CMV weighs more than 10,000 pounds and crosses a state line for business purposes or any vehicle that weighs over 26,000 pounds. A driver who violates this law faces steep fines and the possible loss of their commercial operator's license. A company that is caught allowing its drivers to use handheld cellphones can be fined up to \$11,000.

Additionally, OSHA has an enforcement program in place that involves investigations of motor vehicle accidents and the cellphone records of companies with employees involved. Fines can be issued if an accident involves texting while driving or when work is structured so that texting is a practical necessity, even if not a formal requirement.

As our valued customer, AmTrust recommends that you implement a restrictive cellphone policy for all employees driving in pursuit of company business - whether in a company-owned vehicle or personal vehicle used for any company business. Also, consider placing stickers or decals inside company vehicles to remind employees of their obligations under your company's policy.

Please [click here](#) to view a sample Distracted Driving Policy. We encourage all employers with a driving exposure to adopt this policy or one that is similar.

Our Loss Control team will be evaluating the presence of a formal policy during our underwriting surveys.

As a complementary service, AmTrust maintains a library of safe driving videos, including titles on distracted driving. To view this material, policyholders can follow this link for a quick registration and direct, free access to this valuable training material: <https://amtrustfinancial.com/loss-control/streaming-videos>.

Additional Resources (source: OSHA)

Organizations active in the national campaign against distracted driving include:

The Centers for Disease Control and Prevention

National Institute for Occupational Safety and Health (NIOSH) provides information on risk factors for motor vehicle-related crashes in the workplace, including distracted driving. The NIOSH page offers a range of resources on all aspects of driving for work: publications geared to employers, safety professionals and researchers; and investigative reports of motor vehicle fatalities at work.

National Center for Injury Prevention and Control provides information on distracted driving risks in the general population as part of its motor vehicle injury prevention program, which focuses on improving the use of occupant restraints, reducing impaired driving and helping groups at risk: child passengers, teen drivers, adult drivers, pedestrians and cyclists.

The National Safety Council's (NSC) Safety on the Road program addresses distracted driving and contains resources including a distracted driving resource kit and a distracted driving quarterly newsletter. Additionally, this site provides reports, research, publications and current news related to other areas of driving safety.

American Automobile Association Foundation for Traffic Safety is dedicated to saving lives and reducing injuries on the road. It is a not-for-profit, publicly-supported charitable, educational and research organization. Since 1947, the foundation has funded over 200 projects designed to discover the causes of traffic crashes, prevent them and minimize injury when they do occur.

The University of Minnesota's Transportation Center conducts research on cellphones and driving safety. This website offers research publications and a video of the Teen Driver Support System and in-car device that reports unsafe driver behavior to the driver and parent.

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