We passed a new distracted driving law, now what?

By Daniel G. Sharp
Chief of Police (Ret.)
Oro Valley Police Department, AZ

acdsharp@aol.com
About the presenter

Chief Daniel G. Sharp

- Forty years of law enforcement experience
- Chairman of the IACP Highway Safety Committee
- Traffic Incident Management Subcommittee Chair
- Executive Leadership Group (FHWA)
- J Stannard Baker Award
- M.Ed. Educational Leadership
- FBINA 190th Session Graduate
Purpose

To educate participants how to properly interpret, educate, and enforce a new distracted driving law.
November 2019 - Caitlin Festerling (19) and Paul Garcia (20)
Education

- Employer Groups
- Gov’t, Schools, and Community
- Partner with Organizations that Support Traffic Safety Initiatives
Outreach

- Get your message out, “Just Drive”
- Provide an “Easy Guide” to understanding the law.
- Make sure your department “leads by example”
Lead by Example

- Model the behavior
  - Park to make phone calls
  - Avoid using MDT while vehicle is in motion
  - Use technology
  - Policy Development
Movie Theater Public Service Announcement
Enforcement and Education
Courtroom Testimony

- Illustrate the driving behavior consistent with distraction
- If available, present in-car or BWC footage
- Identify the device observed
  - Smart phone
  - Flip phone
  - iPad
  - Tablet
- What was the driver behavior?
  - Looking down
  - Texting
  - Holding device to ear
Discussion with the driver

- Ask what the device was being used for;
  - Texting
  - Navigation
  - Playing music
  - Talking

- Document any unsolicited comments about device use
- Document other devices that were visible, e.g., Garmin, garage door openers.
Share Outcomes and Build Relationships

<table>
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<tr>
<th>Agency</th>
<th>Citations</th>
<th>Days</th>
<th>Start of data</th>
<th>End of data</th>
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</thead>
<tbody>
<tr>
<td>Tucson Police</td>
<td>44</td>
<td>214</td>
<td>May 1, 2017*</td>
<td>November 30, 2017</td>
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<tr>
<td>Pima County Sheriff</td>
<td>191</td>
<td>169</td>
<td>August 3, 2017</td>
<td>January 18, 2018</td>
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<tr>
<td>Oro Valley Police</td>
<td>78</td>
<td>111</td>
<td>September 1, 2017**</td>
<td>December 20, 2017</td>
</tr>
</tbody>
</table>

*Tucson Police also issued 18 written warnings

**During a nine-month education period, Oro Valley issued 1,374 warnings.
Questions

Daniel G. Sharp
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We Passed a New Distracted Driving Law.

Now What?
The Charge

The Virginia General Assembly mandated that traffic safety organizations like DRIVE SMART Virginia shall develop and provide educational materials to the public regarding the provisions of this act prior to its effective date.

The effective date was delayed for six months in order to provide the time to deliver this education to the public.
Strategies

• Created the Hands-Free Virginia Advisory Council in order to ensure that educational programming would meet the needs of all residents in a fair and inclusive way.

• Leveraged the Virginia Partners for Safe Driving, a group of businesses, organizations, and government entities committed to encourage safe driving behaviors to help raise awareness of the new law.

• Developed a communications plan based upon a variety of strategies to reach diverse audiences, including paid and organic social media, roadway signage, variable messaging signs, radio and digital PSAs, press conferences, print materials, a dedicated website and more.
Phone Down.  
It’s The Law.

New Virginia Law
Effective Statewide
January 1, 2021

Partnered with the Virginia Highway Safety Office to create the campaign.

The message needed to be clean and direct.
Tactic: To create a campaign that would be direct, relatable and appealing to a diverse audience.
What Happens If I’m Pulled Over?

In the event that you are pulled over for holding a handheld personal communications device, act in the same manner you would for any traffic stop. You will NOT be asked to hand the device over to the officer. Keep in mind that WHAT you are doing with the device is irrelevant, it is the act of HOLDING the device while driving that is illegal.
Phone Down.

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PhoneDown.org
In the event that you are pulled over for holding a handheld personal communications device, act in the same manner you would for any traffic stop. You will NOT be asked to hand the device over to the officer. Keep in mind that WHAT you are doing with the device is irrelevant, it is the act of HOLDING the device while driving that is illegal.

Connect with us on social media!
Show your support by using #phonedown & #handsfreeVA

Phone Down.
It's The Law.

New Virginia Law Effective January 1, 2021

PhoneDown.org

Tri-Fold Brochure
Phone Down. It’s The Law.

Effective January 1, 2021, it will be illegal to hold a handheld personal communications device (e.g., your smartphone) while driving a moving motor vehicle on Virginia highways. This new law is one of many ways the state is tackling down on distracted driving.

What’s Off-Limits?
While driving, it will be illegal to hold a mobile device in your hand while doing some activities, such as:
- Dialing a phone number;
- Sending a text message;
- Updating/browsing social media;
- Video conferencing;
- Shopping online;
- Watching movies;
- Checking the weather;
- Playing games;
- And more.

The Five Exceptions

1. The operator of any emergency vehicle while he/she is engaged in the performance of his/her official duties;
2. An operator who is lawfully parked or stopped;
3. Any person using a handheld personal communications device in order to report an emergency;
4. The use of an amateur or a citizens band radio; or
5. The operator of any Department of Transportation related vehicle during the performance of traffic incident management services.

Know The Facts

Virginia is the 22nd state in the Nation to address handheld phone use while driving.

“Each day in the United States, more than nine people are killed and more than 1,153 people are injured as a result of distracted driving.” - The Centers for Disease Control

“80% of all crashes and 65% of all near-crashes involve driver inattention within three seconds of the crash.” - Virginia Tech Transportation Institute (VTTI)

Virginia drivers observed in a 2018 Insurance Institute for Highway Safety (IIHS) roadside survey were 57% more likely to be manipulating a cellphone than drivers in a 2014 survey.

“Texting is by far the most egregious form of distracted driving and increases your crash risk by 2300% because it involves all three kinds of distraction – manual, visual, and cognitive.” - Virginia Tech Transportation Institute (VTTI)

In a Liberty Mutual survey, 80% of teens reported that they viewed APP use while driving as “not distracting.” - Liberty Mutual Research Institute for Safety

“Motorists with smartphones use handheld devices in 88 out of every 100 trips. Therefore, Zendrive estimates that there are about 600 million trips involving distracted driving in the United States every day.” - Zendrive

Can I Still Use Bluetooth?

This new law does not prohibit making or receiving phone calls using “hands-free” technology, such as Bluetooth or integrated systems within the motor vehicle. Simply said, you cannot hold your phone while driving for any reason. If you must use your device, we encourage you to pull over to a safe location and park your car before handling.

Tri-Fold Brochure (inside)
Tactic: To mobilize and motivate community champions through the Hands-Free Virginia Advisory Council and the Virginia Partners for Safe Driving to help get the word out.

- AAA Tidewater added a message to their phone system to advise that the new law was upcoming.

- Carilion New River Medical Center distributed posters and e-posters and sent mass email to all employees.

- Henrico PD filmed a PSA in partnership with their surrounding counties about the new law.

- National Safety Council sent a newsletter to all of the Virginia members
• Displayed information on VMS statewide
• Posters in public spaces and bathrooms
• Banner message on 511 Virginia website and phone recording
• Messaging on interstate CMS
• Messaging from online toolkits posted to internal electronic bulletin boards
• Wrote a story for VDOT employees on "Inside VDOT" about the law
• Created a VDOT-TV episode about the law
• Assisted with big social media push
Placed banners at rest areas:
YOVASO

• Youth of Virginia Speak Out About Traffic Safety (YOVASO) incorporated the message into all of their fall campaign messaging
• Posted to Facebook and Twitter
• Shared information with Youth Advisory Council, Advisory Board and almost 200 schools/school groups,
• Participated in two TV media interviews about the new law
• Added message to YOVASO holiday email.
Virginia Trucking Association

The Virginia Trucking Association Shared information during truck driver appreciation event. Placed signage at weigh stations. Sent the word out to members.
Community Partners helped increase the footprint of this project significantly.

- More than 300 partners ordered materials from our FREE online store.
- 46% of brochures ordered were ordered by law enforcement. 30% of posters were ordered by non-profits.
- Hundreds of entities shared our content on social media and used our hashtags #handsfreeVA #phonedown.

driveスマートVA.org
Tactic: To leverage our social media platforms to push the “Phone Down, It’s the Law” message out
Beginning January 1, 2021, it’ll be illegal to hold your phone while driving on Virginia highways. Kick the habit now to avoid a ticket later. 
#PhoneDown

Pedal down? Phone down!

Phone Down, It's The Law
Facebook Ad

<table>
<thead>
<tr>
<th>Reach</th>
<th>Engagement</th>
<th>Shares</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>116,200</td>
<td>74,340</td>
<td>1,358</td>
<td>19 Days</td>
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*Phone Down, It’s The Law*
Phone Down, It’s The Law

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#PhoneDown
Beginning January 1, 2021, it’ll be illegal to hold your phone while driving on Virginia highways. Kick the habit now to avoid a ticket later. #PhoneDown
• Continued to Engage the Virginia Governor and Bill Patrons
• Bill Signing Press Conference
• December Press Conference
Tactic: To leverage earned media opportunities to reach the widest, most diverse population possible.

• 19 Newspaper Stories
• 30 Television Stories
• 7 Online Stories (blogs, etc.)
Public Service Announcement

State Farm Insurance funded a PSA to raise awareness about the new law.

Social Media Results (December 9 – December 31, 2020)

<table>
<thead>
<tr>
<th>Platform</th>
<th>Reach</th>
<th>Shares</th>
<th>Likes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Twitter</td>
<td>4,658</td>
<td>91</td>
<td>99</td>
</tr>
<tr>
<td>Facebook</td>
<td>35,532</td>
<td>294</td>
<td>59</td>
</tr>
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</table>
Radio PSA

DRIVE SMART Virginia produced a 30-second PSA. The Virginia Association of Broadcasters distributed the PSA to its 230 member radio stations.

https://soundcloud.com/user-351119834/newlaw
DRIVE SMART Virginia produces an interview-format podcast focused on traffic safety. This year, *The Road We Travel* did a 3-part series on the new law and distracted driving.

**Episode 3: VTTI, Dr. Charlie Klauer**
Distracted Driving Summit

Since 2013, this annual conference focuses on how we can tackle distracted driving through advocacy, enforcement, corporate policies, education, and research. Hundreds of attendees hear experts from around the country talk about the most cutting-edge solutions for distracted driving.

For 2020, DRIVE SMART Virginia conducted a series of 12 webinars related to distracted driving. We had over 2,000 registrants and over 900 unique registrants.
Thank you!

Janet Brooking
DRIVE SMART Virginia
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