

We passed a new distracted driving law, now what?



By Daniel G. Sharp
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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”



WHAT CONSTITUTES A HAND-HELD ELECTRONIC MOBILE DEVICE?

According to the ordinance, “handheld mobile telephone” and “portable electronic device” means a wireless communication device that is designed to engage in calls, receive and transmit text, image messages and data and requires being held in one hand.”

HANDHELD MOBILE DEVICES



Examples include: mobile phones, mp3 players, GPS units and gaming devices.



WHAT IF I DON'T KNOW HOW TO USE HANDS-FREE TECHNOLOGY?

The Oro Valley Police Department would be happy to assist drivers needing information on hands-free technology. Please call the Community Resource Unit at 520-326-5080.

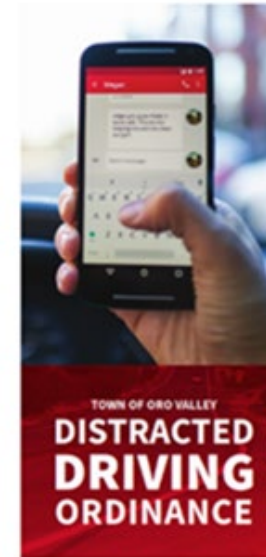
WHAT HAPPENS IF I AM PULLED OVER?

In the event that you are pulled over for operating a hand-held electronic 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.

WHAT IS THE PENALTY FOR VIOLATING THIS ORDINANCE?

A person who violates Article 10-14 of this ordinance and is not involved in a motor vehicle collision is subject to a civil penalty of \$50 for the first violation, \$100 for the second, and \$200 for the third. A person who violates the ordinance and is involved in a collision is subject to a civil penalty of a minimum amount of \$250.

#HandsFreeOV
www.orovalleyaz.gov

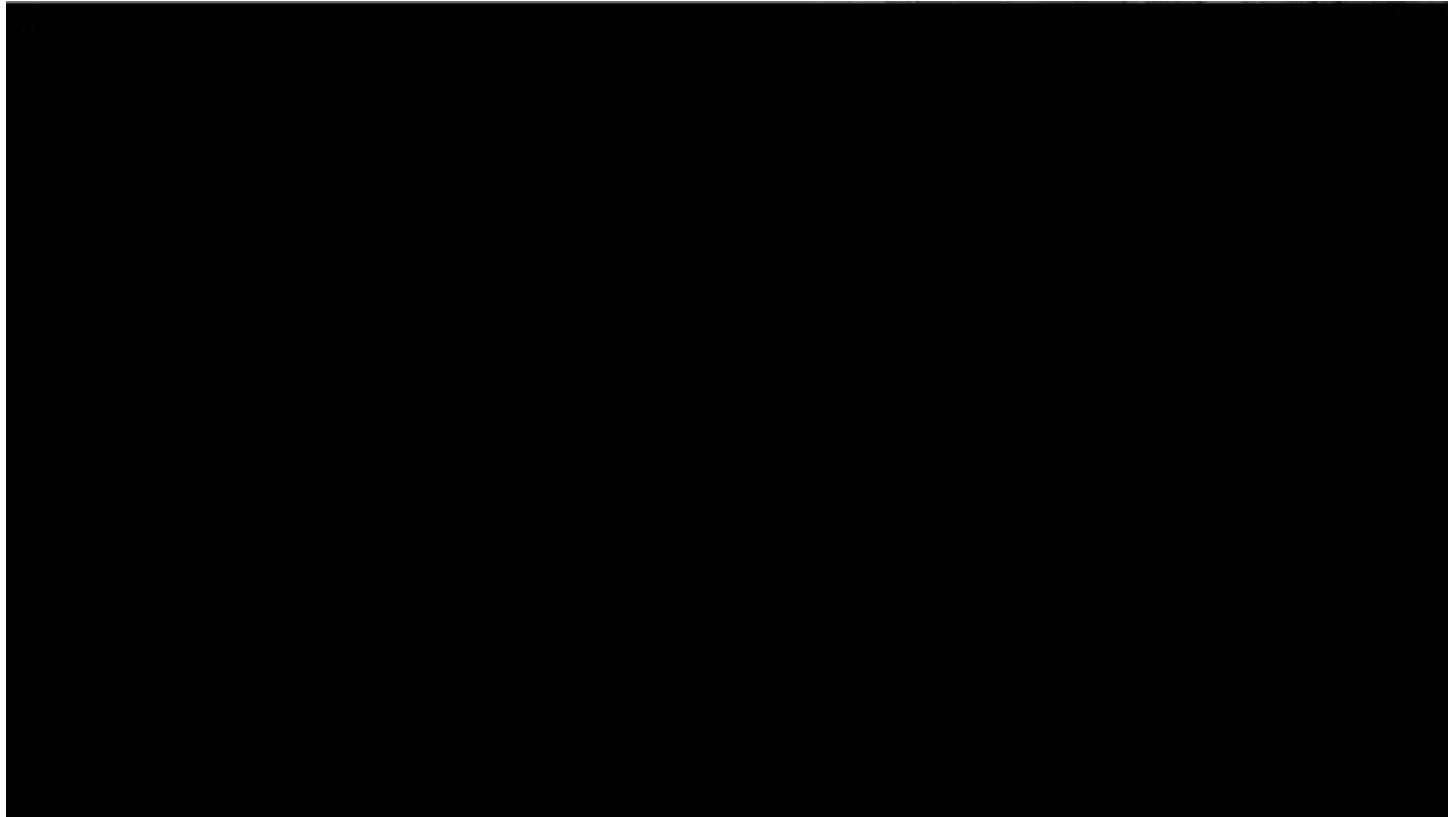


Lead by Example

- 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



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MEDIA RELEASE

High Visibility Enforcement (HIVE) March Deployments

Oracle Road at Magee and Suffolk

ORO VALLEY, Ariz. (February 27, 2014) - The Oro Valley Police Department (OVPD) will continue with its "High Visibility Enforcement" (HIVE) efforts during the month of March on Oracle Road at the Magee and Suffolk intersections. OVPD hopes to increase awareness and reduce collisions related to inattention, following too close and failing to yield to other drivers. The Pima County Sheriff's Department will continue to participate and support the education/enforcement efforts.

OVPD and PCSD will deploy motorcycle officers on the following dates:

| | |
|----------------|----------------------------------|
| March 5, 2014 | PM Deployment 4:00pm to 7:00pm. |
| March 11, 2014 | PM Deployment 4:00pm to 7:00pm. |
| March 12, 2014 | AM Deployment 7:00am to 10:00am. |
| March 20, 2014 | PM Deployment 4:00pm to 7:00pm. |
| March 27, 2014 | AM Deployment 7:00am to 10:00am. |

Motorists are asked to be aware of the additional enforcement activity and drive safely.

If you have any questions about this release or traffic related issues in Oro Valley, please contact Lt. Chris Olson at 229-4902.

WHAT CONSTITUTES A HAND-HELD ELECTRONIC MOBILE DEVICE?
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WHAT IF I DON'T KNOW HOW TO USE HANDS-FREE TECHNOLOGY?
The Oro Valley Police Department would be happy to assist drivers needing information on hands-free technology. Please call the Community Resource Unit at 520-229-5080.

WHAT HAPPENS IF I AM PULLED OVER?
In the event that you are pulled over for operating a hand-held electronic device while driving, you will NOT be asked to hand the device over to the officer.

WHAT IS THE PENALTY FOR VIOLATING THIS ORDINANCE?
A person who violates Article 10-14 of this ordinance and is not involved in a motor vehicle collision is subject to a civil penalty of \$200 for the first violation, \$100 for the second, and \$2,000 for the third. A person who violates this ordinance and is involved in a collision is subject to a civil penalty of a minimum of \$250.

TOWN OF ORO VALLEY
DISTRACTED DRIVING ORDINANCE

www.orovalleyaz.gov

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

| Agency | Citations | Days | Start of data | End of data |
|---|-----------|------|---------------------|-------------------|
| Tucson Police | 44 | 214 | May 1, 2017* | November 30, 2017 |
| Pima County Sheriff | 191 | 169 | August 3, 2017 | January 18, 2018 |
| Oro Valley Police | 78 | 111 | September 1, 2017** | December 20, 2017 |
| *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**

PhoneDown.org

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

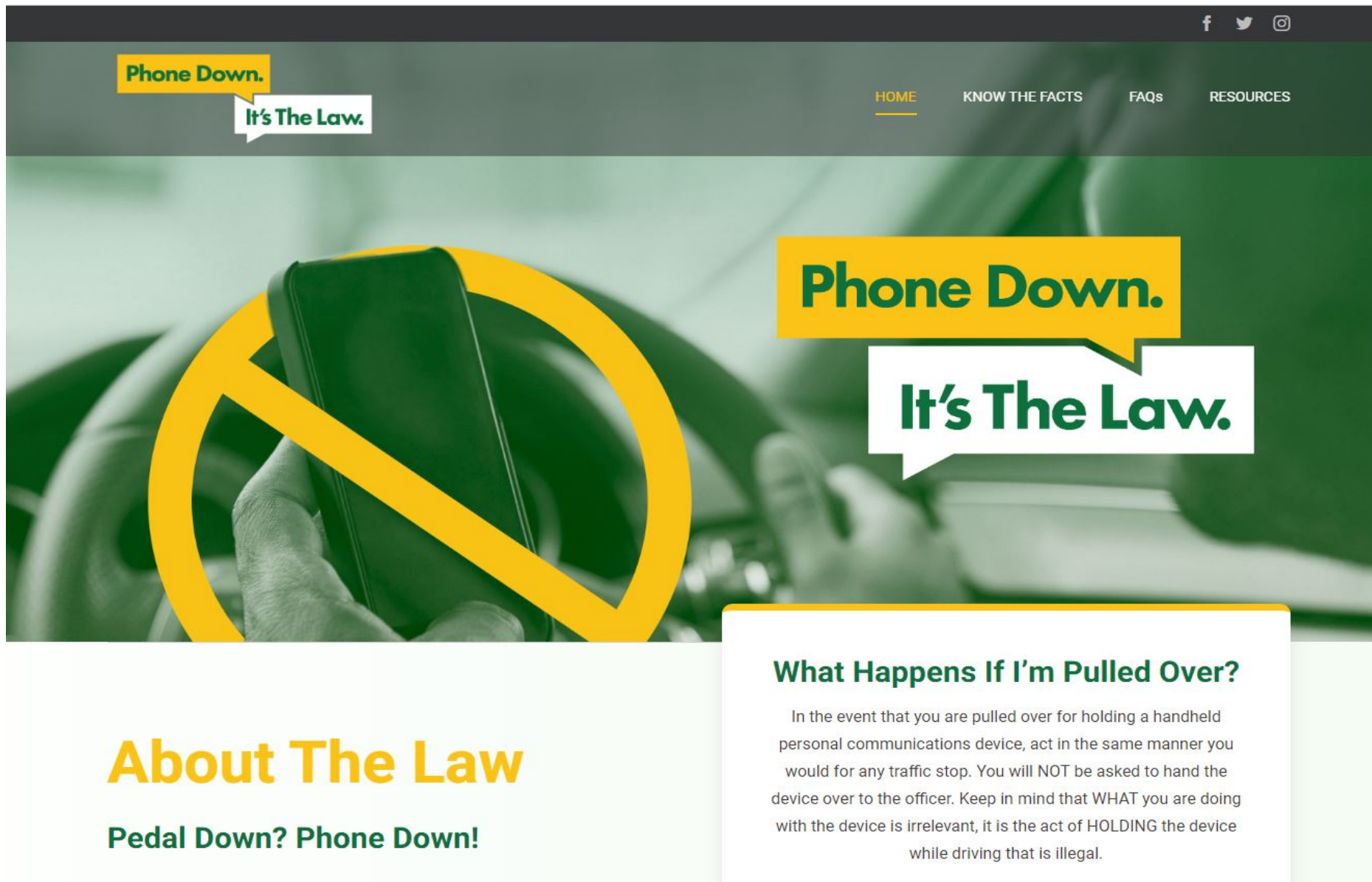
**The message needed to be clean
and direct.**



drivesmartva.org



Tactic: To create a campaign that would be direct, relatable and appealing to a diverse audience.



Website

drivesmartva.org

Phone Down.

It's The Law.

**New Virginia Law
Effective Statewide
January 1, 2021**

PhoneDown.org



Poster

drivesmartva.org

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.

It's The Law.

Breaking The Law Will Cost You

A person who violates **46.2-818.2** is subject to a fine of \$125 for the first offense and \$250 for the second and subsequent offenses. A person who is convicted of reckless driving who was also in violation of 46.2-818.2 when committing the offense can be fined up to \$2,500, up to 12 months in jail, and up to a six month license suspension, but shall be fined a mandatory minimum fine of \$250. A person who violates this law while driving in a highway work zone shall be fined \$250.



Connect with us on social media!

Show your support by using
#phonedown & #handsfreeVA

PhoneDown.org



Phone Down.

It's The Law.

New Virginia Law Effective
January 1, 2021



PhoneDown.org



Tri-Fold Brochure

drivesmartva.org

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 buckling 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.



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.



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**



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

VDOT

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
-



Tactic: To leverage our social media platforms to push the “Phone Down, It’s the Law” message out

Twitter Ad

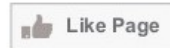


| Impressions | Audience | Follows | Duration |
|-------------|----------|---------|----------|
| 2,518,022 | Virginia | 686 | 20 Days |



DRIVE SMART Virginia

Sponsored



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](#)

Phone Down, It's The Law



drivesmartva.org

Pedal down? Phone down!

DRIVE SMART Virginia

[Learn More](#)

drivesmartva.org

Facebook Ad



| Reach | Engagement | Shares | Duration |
|---------|------------|--------|----------|
| 116,200 | 74,340 | 1,358 | 19 Days |



Phone Down, It's The Law

Instagram Ad

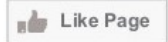


| Impressions | ThruPlays | Results Rate | Duration |
|-------------|-----------|--------------|----------|
| 324,419 | 330,200 | 101.85% | 19 Days |



DRIVE SMART Virginia

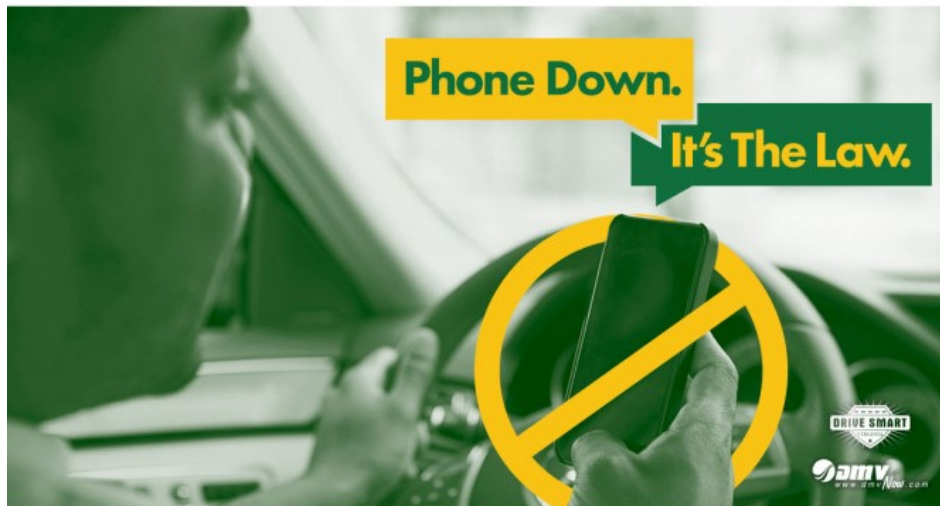
Sponsored



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#PhoneDown

Phone Down, It's The Law



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Pedal down? Phone down!

DRIVE SMART Virginia


Learn More

drivesmartva.org


Option 1

FACEBOOK AND INSTAGRAM POST



 **DRIVE SMART Virginia**
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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](#)





[drivesmartva.org](#)




Pedal down? Phone down!
DRIVE SMART Virginia

[Learn More](#)

 Like  Comment  Share

 **drivesmartva**
Sponsored



111 likes

drivesmartva To help stop distracted driving, 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. [#DRIVESMARTVirginia](#) [#PhoneDown](#)

27 MINUTES AGO



- 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.



Eyes up, phone down

Jenny Haugh, News Correspondent Dec 28, 2020

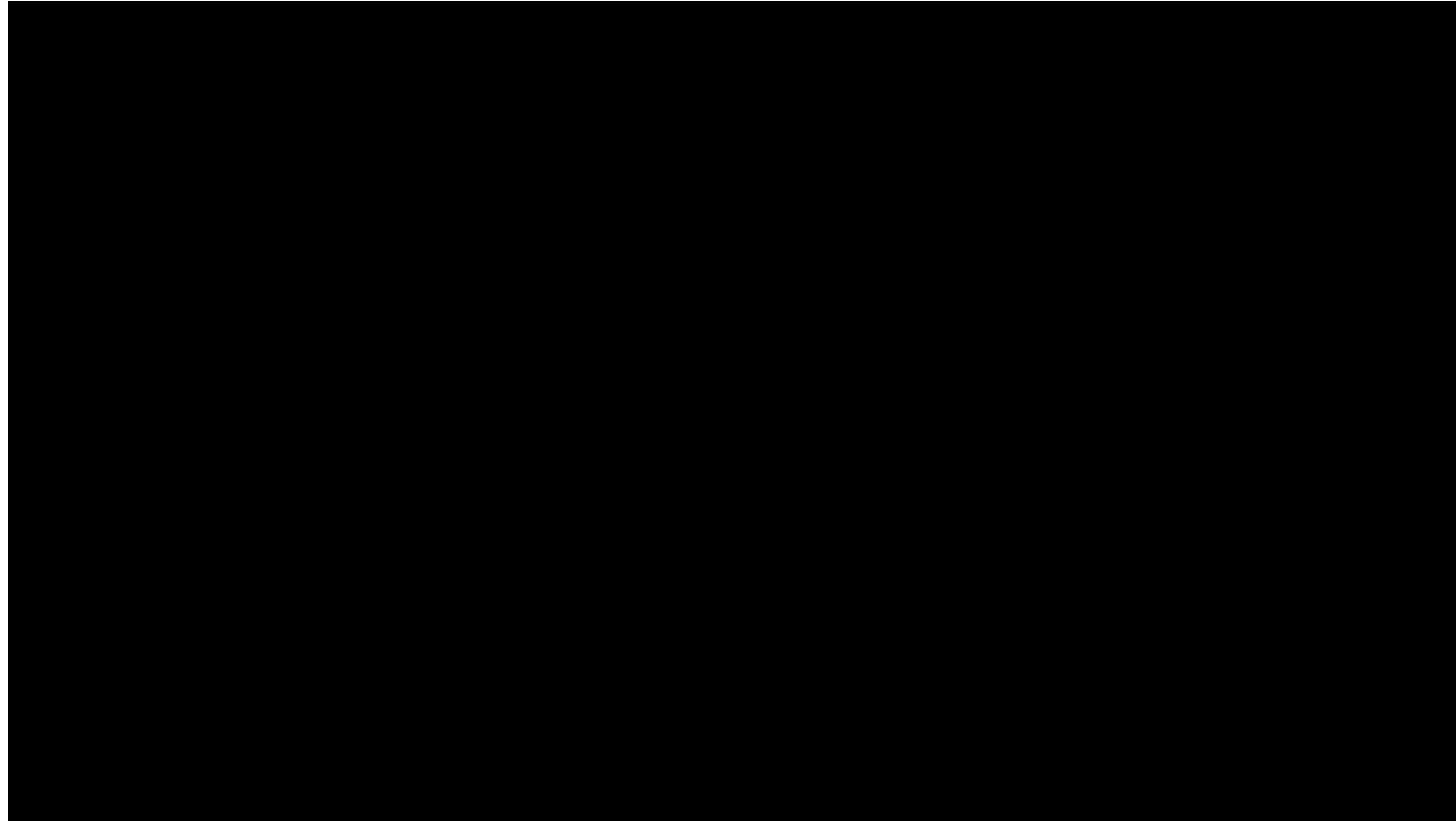


Altavista Journal file photo

- 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)

| Platform | Reach | Shares | Likes |
|----------|--------|--------|-------|
| Twitter | 4,658 | 91 | 99 |
| Facebook | 35,532 | 294 | 59 |



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>

Podcast

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.

A screenshot of the DRIVE Smart Virginia Virtual Safety Series website. The page has a dark blue sidebar on the left with a menu, a yellow header, and a white main content area. The menu includes links to About DSV, Current Projects, Outreach & Education, Resources, Traffic Safety Laws, DSV Store, News, Distracted Driving Summit (highlighted), Donate, Blog, and Contact Us. The header reads "DRIVE Smart Virginia Virtual Safety Series". The main content area features a sunburst graphic and a section titled "Recordings of Previous Presentations". Below this is a link to a recording titled "Teaching Teens to Drive: The Parental Role" by speakers Dr. Johnathan Ehsani and Dr. Charlie Klauer. A description of the webinar is provided, along with a link to the recording.

DRIVE Smart Virginia Virtual Safety Series

Recordings of Previous Presentations

Teaching Teens to Drive: The Parental Role

Speakers: Dr. Johnathan Ehsani, Johns Hopkins Bloomberg School of Public Health and Dr. Charlie Klauer, Virginia Tech Transportation Institute

Description: Parents play a critical role in teaching their teenager to drive. This webinar will present the latest scientific evidence on how to keep teenagers safe as they take the wheel. This includes practical steps on how parents can guide their teenager during the learner stage and how to reduce the risk of crashes when teenagers begin to drive on their own.

Link to recording: <https://attendee.gotowebinar.com/recording/7520593973735826695>



Thank you!

Janet Brooking
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