

Hot Topic

November 2013

Subject: Legislation

Legislation is one of the most effective ways to influence highway safety. With the 2014 Utah Legislative Session starting in a few months, this edition of the Highway Safety Hot Topic will look at the impact of some recent legislation.

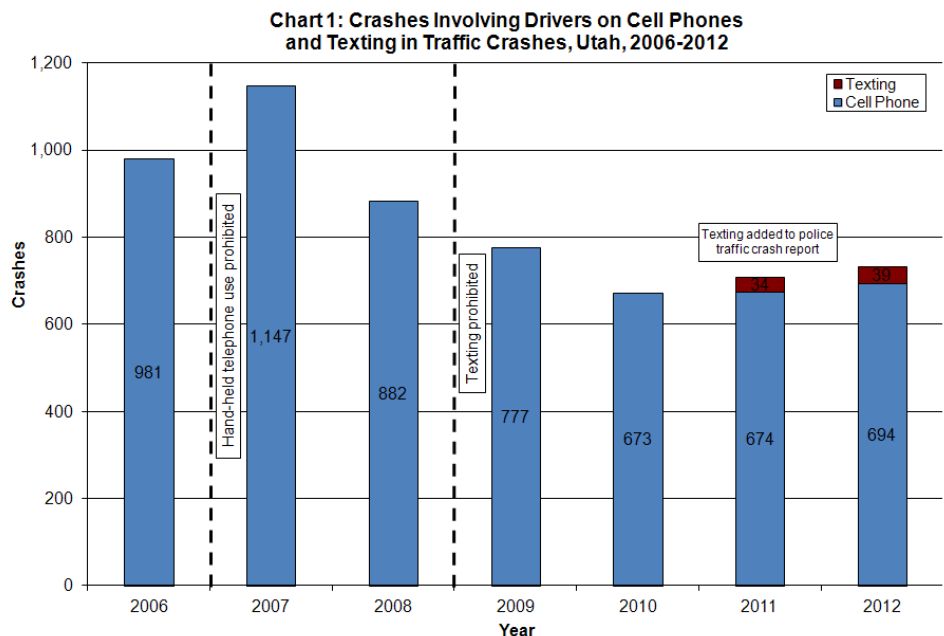
2007 – Hand-held Telephone Use Prohibited
(enforced if a moving traffic violation is committed)

2009 – Text Messaging Prohibited While
Operating a Moving Motor Vehicle

In 2007, legislation was passed prohibiting hand-held telephone use while driving. This can be enforced only if a moving traffic violation is committed. In 2009, legislation was passed prohibiting texting while operating a moving motor vehicle. In 2006, driver distraction was added to the police officer traffic crash report form as a separate element. One of the attributes of driver distraction is cell phone. In 2011, texting was added as one of the attributes of driver distraction on the police officer traffic crash report form.

Crashes involving drivers on cell phones decreased for three years after the 2007 law was passed. The biggest decrease was the year following the law, going from 1,147 crashes in 2007 to 882 crashes in 2008, a decrease of 23%. Crashes involving cell phones in Utah have been relatively stable the last three years (see chart 1).

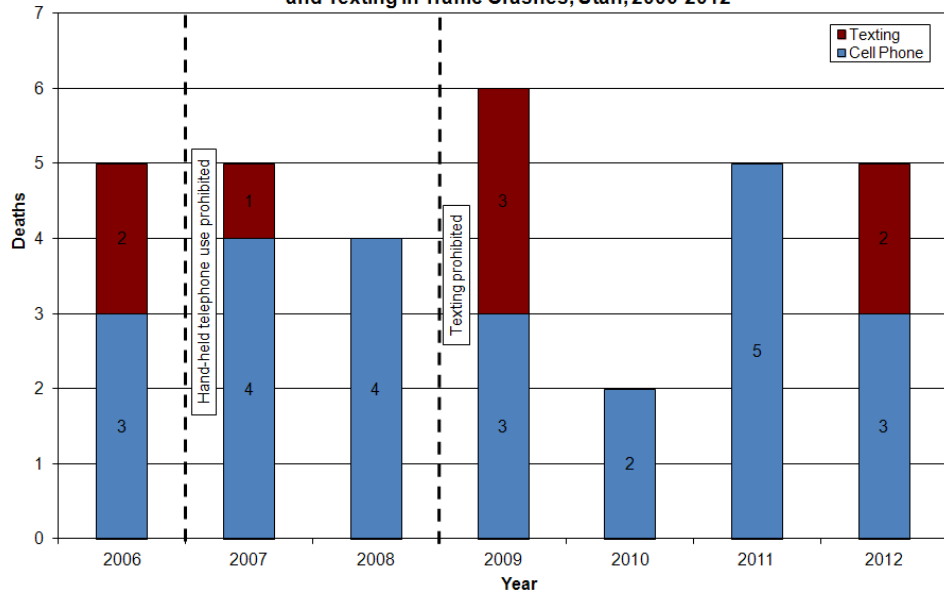
There is limited data involving crashes involving texting drivers. There were 34 crashes involving texting drivers in 2011 and 39 crashes in 2012. In the last 7



years there have been 8 deaths involving texting drivers (see chart 2).

It appears that since passage of the 2007 legislation prohibiting hand-held telephone use crashes involving distracted drivers on cell phones have decreased. Due to limited data on texting the impact of the 2009 legislation prohibiting text messaging while operating a moving motor vehicle cannot be determined.

Chart 2: Deaths Involving Drivers on Cell Phones and Texting in Traffic Crashes, Utah, 2006-2012



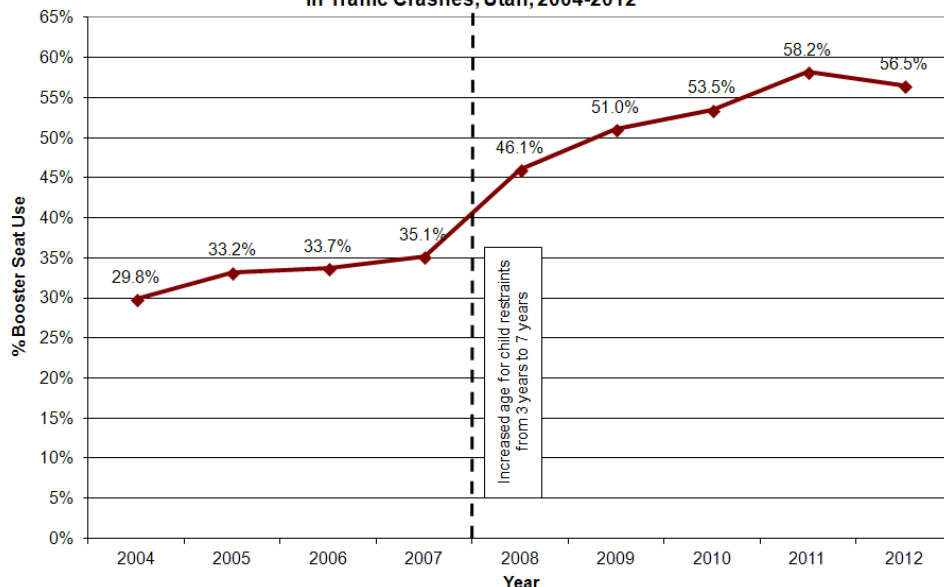
Note: While these numbers are significant, they may not state the true size of the problem, since the identification of distraction and its role in the crash by law enforcement can be very difficult.

2008 Booster Seat Law

In 2008, legislation passed that increased the age that children were required to use a child restraint device in motor vehicles from younger than four years of age to younger than eight years of age. The law went into effect in May 2008. Since the law impacted occupants 4-7 years that will be the focus of this review.

Before the law there were several educational campaigns to increase booster seat use. These campaigns increased booster seat use among ages 4-7 years in crashes

Chart 3: Booster Seat Use Among 4-7-Year-Olds in Traffic Crashes, Utah, 2004-2012



slightly from 29.8% in 2004 to 35.1% in 2007. Booster seat use increased to 46.1% with the passage of the booster seat legislation in 2008. Booster seat use continued to increase the years following the law with a high of 58.2% booster seat use in crashes during 2011. The year 2012 saw the first drop in booster seat usage rates since legislation passed where use was 56.5% in crashes.

Even with the slight drop in 2012, booster seat use has increased 61% in traffic crashes among ages 4-7 years following passage of 2008 booster seat legislation (see chart 3).

People in crashes are categorized according to their injuries on a five-point scale, with a 1 given if they are not injured and a 5 given if they died. Children in booster seats in crashes have lower injury severity rates than those not in booster seats. The average injury severity rate for children not in booster seats was 1.22 compared to 1.16 for children in booster seats. This trend has continued since passage of the booster seat legislation (see chart 4). As more children are using booster seats, the number of child occupants injured in traffic crashes has decreased. In 2007 there were 524 child occupants injured in traffic crashes, this reduced to 430 in 2008 after passage of the booster seat legislation and continued to decrease to 393 in 2012 (see chart 5). Injuries have decreased among child occupants ages 4-7-years-old 25% since passage of the booster seat legislation.

Chart 4: Injury Severity by Booster Seat Use Among 4-7-Year-Olds in Traffic Crashes, Utah, 2004-2012

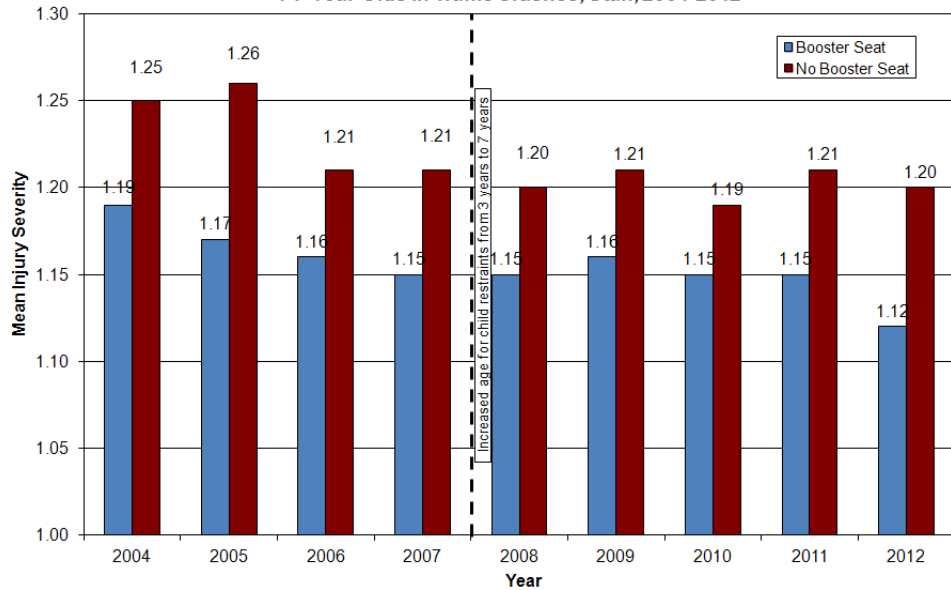
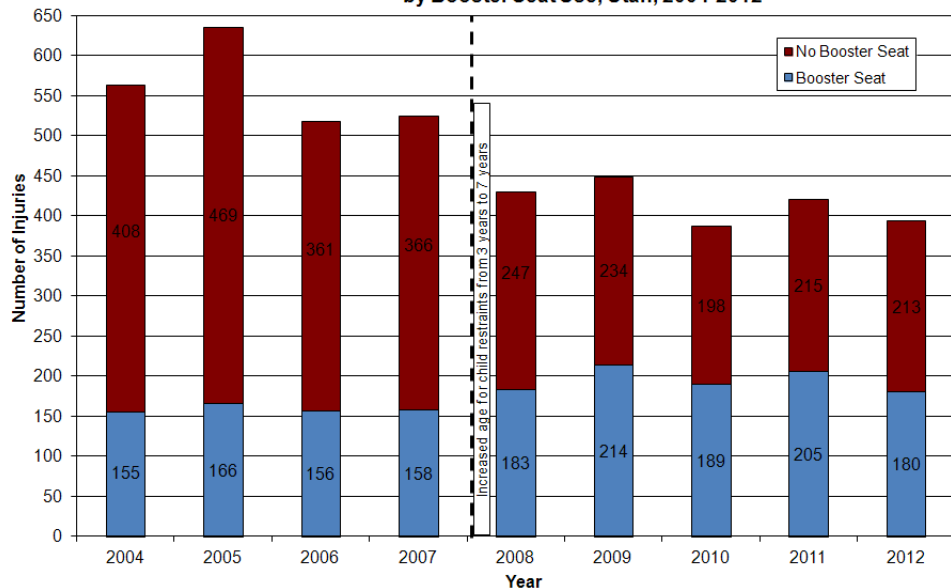


Chart 5: Number of Injuries Among 4-7-Year-Olds in Traffic Crashes by Booster Seat Use, Utah, 2004-2012



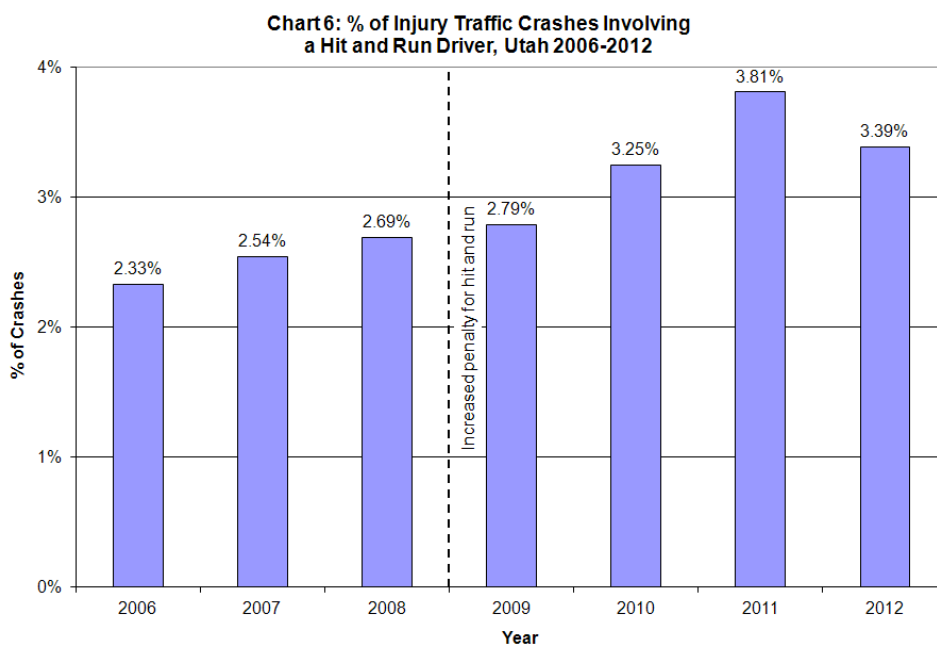
2009 – Increased Penalty for Hit and Run in an Injury or Fatal Crash

In 2009, legislation was passed that increased the penalty for hit and run in an injury or fatal crash from a misdemeanor to a felony if the person had been previously convicted of certain violations. In 2010, legislation was passed that removed the requirement that a person had to have been previously convicted of certain violations.

Hit and run crashes involving an injury have been on an increasing trend since 2006. Passage of hit and run legislation correlates with this trend (see chart 6). In 2006 before the legislation passed, hit and run crashes accounted for 2.69% of all injury traffic crashes. When the initial legislation passed in 2009, hit and run crashes accounted for 2.79% of all injury crashes. This then increased to

3.25% in 2010 after more legislation was passed and increased to 3.81% in 2011.

The year 2012 saw the first decrease down to 3.39% of all injury crashes. The percent of injury crashes involving a hit and run driver has actually increased 26% since passage of the initial legislation increasing the penalty for an injury hit and run crash.



Conclusion

Many factors go into how crashes occur and the effectiveness of laws. These laws show the immediate impact legislation can have on traffic safety. Legislation involving drivers distracted by cell phones has coincided with a decrease in cell phone related crashes. Booster seat legislation corresponded with an increase of booster seat use and a decrease in injuries in crashes. Legislation increasing the penalty for a hit and run driver involved in an injury crash has coincided with an increase in the percent of injury crashes involving a hit and run driver.