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**STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION**
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

March 24, 2022
10:30 A.M.

State Capitol, Conference Room 016 & Teleconference

**H.B. 1692, S.D. 1
RELATING TO MOBILE ELECTRONIC DEVICES**

Senate Committee on Judiciary

The Department of Transportation (DOT) **supports** H.B. 1692, S.D. 1, relating to Mobile Electronic Devices. This bill requires every driver that violates this section be subject to a fine. In addition, individuals who violate this section in a school zone are subject to a \$300.00 fine, which is to be deposited into the safe routes to school program special fund.

We would recommend that a minimum fine of \$300.00 be established for the first violation.

Fatality Analysis Reporting System Crash Data Querying and Reporting indicates that from 2016-2020, 22% (109 out of 498) of our fatal crashes in Hawaii involved a distracted driver.

The DOT urges your committee to pass H.B. 1692, S.D. 1. High fines serve as a deterrent for distracted driving and under this measure serve as a way to sustain the safe routes to school program, which is dedicated to improving traffic safety around schools.

Thank you for the opportunity to provide testimony.



AAA Hawaii

March 24, 2022

TO: Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Members of the Senate Judiciary Committee

RE: **HB1692 SD1 – Use of Mobile Electronic Devices While Driving. - SUPPORT**

AAA Hawaii supports HB1692 SD1, which would increase fines for motorists cited for driving while using electronic mobile devices. HB1692 SD1 sends a strong message that distracted driving is dangerous, especially in school or construction zones.

Distracted driving is any activity that could divert a person's attention away from the primary task of driving. These include texting, talking on a cell phone, grooming, using a navigation system, reading (including maps), and adjusting a radio, CD or MP3 player – just to name a few. Using mobile devices to send/read text messages while driving is especially dangerous because it causes manual, visual, and cognitive distractions with lasting effects. The AAA Foundation for Traffic Safety (AAAFTS) found unsafe mental distractions can persist for as long as 27 seconds after a driver dials or sends a text just using voice commands.

Approximately 95 percent of motorists know texting/emailing while driving is dangerous, but 34 percent admit to having read messages while driving in the last 30 days per the AAAFTS Traffic Safety Culture Index (2020). This means most of us recognize distracted driving is bad but many of us have a hard time breaking this habit. Policy tools such as higher fines and driver demerit points provide good reasons to not take certain risks while driving. Driver demerit points have the added benefit of helping to remove the worst drivers from the road.

Distracted driving is a significant highway threat, responsible for over 3,000 fatalities each year nationwide. This behavior in school or construction zones is especially concerning given the vulnerable population at stake. We need more disincentives to discourage motorists from taking unnecessary risks while behind the wheel. For these reason, AAA Hawaii supports HB1692 SD1 and respectfully encourages the state to also consider imposing driver demerit points in the future to deter distracted driving. Thank you for consideration.

Respectfully Submitted,

Handwritten signature of Amanda Gualderama in black ink.

Amanda Gualderama
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Liane Sumida

Liane Sumida
Regional Manager

March 22, 2022

To the Honorable Members of the Hawaii State Legislature and their Staff:

I am writing today in support of House Bill 1692 SD1. I visited Hawaii County from February 24 through March 4, 2022. On February 25 at approximately 5pm I was nearly run over by a distracted driver at the intersection of Wailuku Drive and Kaiulani Street in Hilo. The driver rolled through the intersection, ignoring both the stop sign that obliged her to stop as well as the two pedestrians (myself and my husband) in her path. Her eyes were glued to her mobile electronic device. I had to jump out of harm's way to avoid being struck by her white Ford sedan. As she finally came to a stop, she tossed her phone into the passenger seat of her vehicle. I yelled at her while my husband took photographs of her car, including her license plate. She drove off after about 30 seconds.

Not five minutes later as we were continuing our walk up Kaiulani Street, we flagged down a passing Hawaii County police vehicle. We had not called 911; the officer and his colleague were in the neighborhood for another call. They promised to take down our information as soon as they completed their business. They met us about 45 minutes later and took down our names and information, our statements, as well as the license plate number of the vehicle in question. When we returned home to Washington State, I requested and received a copy of the police report. Three days after the incident in question, the distracted driver was "**counseled on the importance of awareness while driving.**" In essence, we got scared to death and she got a warning. Nothing in the report indicates that the driver was counselled about her failure to stop at a stop sign, failure to indicate her direction when turning, and failure to cede the right of way to pedestrians. These failures—each one potentially capable of disastrous consequences both to the driver and anyone in her path—were a direct result of her inattention behind the wheel. Did she take her warning seriously? Was a warning enough?

When it was first introduced in 2013, the MED law was pursued vigorously. Unfortunately, after reaching a peak of nearly 4,000 citations written in Hawaii County alone in 2017, that number decreased dramatically to 577 in 2019, the last year for which statistics are available. This decrease in the number of citations for distracted driving coincides with a dramatic **increase** in traffic fatalities caused by distracted drivers in the state, and the county of Hawaii. There were three deaths in **the first two months of 2022** alone in Hawaii County attributed to **inattention behind the wheel**. Mitch Roth, the

mayor of Hawaii County, **was forced to issue a press release just one month ago** in response to the spate of traffic deaths, asking “residents (to) drive with aloha and **great attention** to ensure that everybody gets home to their families and loved ones safely.” Hawaii County’s police chief Paul Ferreira is quoted in the same press release, asking citizens “to do their part. There’s #noexcuse for any form of dangerous driving.”

Next month is National Distracted Driving Awareness month. Distracted driving is just as deadly as drunk driving, except it’s happening all the time, not just during Super Bowl, not just during the holidays or on Friday and Saturday nights. It happens on the way to and from work and on the way to meet friends. Though it is not socially acceptable behavior, it is common behavior. State legislatures have it within their power to make this crime less socially acceptable and encourage more attentive driving. **I am alive today to write this letter because I was paying attention when a driver intoxicated by her mobile device was not**, even though she was behind the wheel of a 4,000 pound moving vehicle that could have crushed me, my husband, or anyone else in her path. To her, whatever was on her screen that afternoon was more important than what was right in front of her car. **Possessing a driver’s license is not a right, it is a privilege and it comes with great responsibilities.** It seems self-evident, but chief among these responsibilities is paying attention to the world around you, not to what someone just posted on Facebook.

I urge you to support increasing the fine associated with distracted driving. Incentivizing all parties to take this issue seriously is of vital importance to ensuring safety on Hawaii’s roads and highways for tourists and citizens alike. Thank you for your time.

Respectfully,

John Tevis
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