

# Limiting driver distractions from cell phone use guide



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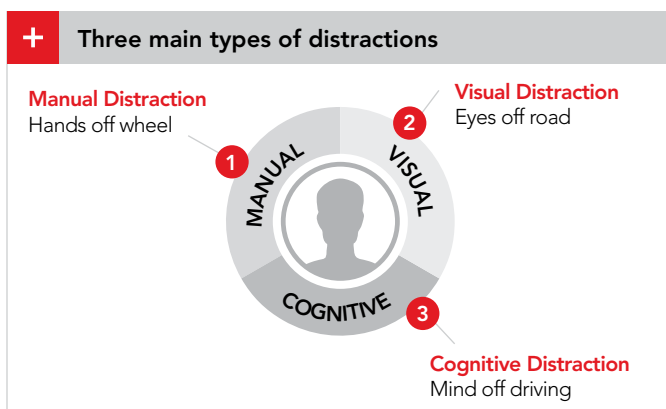
## Focus on avoiding common distractions

Distracted driving poses significant risk to every business that has employees who drive both company-owned and personal vehicles for company business. Common activities that divert attention from the road include texting, most mobile phone use, eating/drinking, reaching for an object, talking with a passenger or reading navigation systems. According to the National Safety Council, 26 percent of all vehicle crashes involve mobile phone use — including hands-free.\*

Use this guide to assist in developing a program that helps in the control of driver behaviors based off statistics about the impact of cell phone use and driver distractions, such as talking and texting, as well as sample recommendations.

## What is distracted driving?

Any activity that could divert a person's attention away from the primary task of driving is considered distracted driving. All distractions endanger driver, passenger and bystander safety. According to the National Safety Council, distractions now join alcohol and speeding as leading factors in fatal and serious injury crashes.



## Common cell phone distractions

- Phone calls
- Reading or composing text messages
- GPS
- Surfing the web
- Adjusting music
- Watching videos

## Vehicle crash statistics

According to the National Safety Council, cell phone use is involved in **26 percent** of all vehicle crashes and **18 percent** of distraction-related fatalities.

At any time in the day, approximately **660,000** drivers are using cell phones or other electronic devices while driving (NOPUS).

There is **three times** the crash risk when engaging in visual-manual subtasks like reaching for a phone, dialing and texting (VTTI).

## Texting

Texting is a distraction that requires all three types of attention — manual, visual and cognitive.

According to the National Highway Transportation Safety Association, texting while driving creates a crash risk that is **23 times** worse than driving with no distractions.

Studies show that using voice-to-text is more distracting than manually composing texts.

Five seconds is the average time your eyes are off the road while texting. At 55 mph, that is enough time to cover the entire length of a football field (VTTI).

## Talking

A common misconception about talking on the phone while driving is that use of a handsfree device is a safe alternative to holding a phone to your ear.

The 2012 National Safety Council model estimated 21 percent of crashes, or 1.2 million crashes, involved talking on handheld and handsfree cell phones.

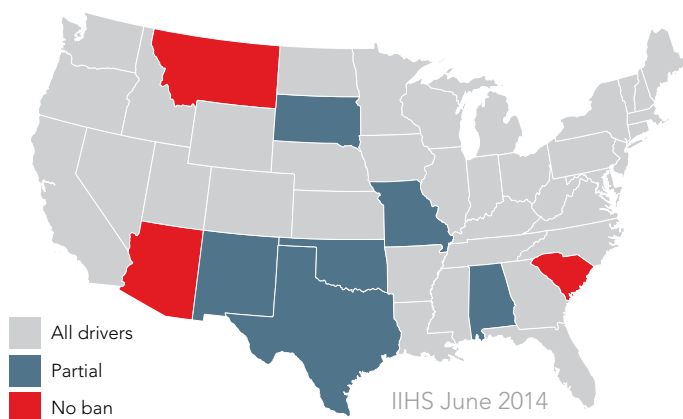
## Company responsibility

Under the doctrine of Vicarious Responsibility, employers may be held legally accountable for the negligent acts of employees committed during the course of their employment. Employers may also be found negligent if they fail to put a policy in place for the safe use of cell phones.

### According to NHTSA, on-the-job crashes cost employers more than:

- \$24,500 per crash
- \$150,000 per injury
- \$3.6 million per fatality

More than 80 percent of the nation's 94 million cell phone owners use them while driving — at least sometimes. Many states have legislation to regulate cell phone use and texting (see map below) while driving. At least 13 nations, including England, Germany and Japan, have banned the use of cell phones when driving a vehicle.



In the past few years, cell phone usage has been an issue in several lawsuits, and employers are being held responsible if a worker causes an accident while talking on the phone. So why are

employers concerned about cell phones? Cell phone records can be subpoenaed to prove the employee was on the phone when the accident occurred. Other distractions cannot be identified to a specific time, and many drivers don't want to say they were distracted and not driving safely.

While there is no guaranteed defense to liability, developing appropriate policies, training and enforcement mechanisms can help limit potential liability and increase public safety. Some companies prohibit employees from using cell phones while driving on company time. In contrast, other companies adopt cell phone safety guidelines and focus on training and enforcement. Each company should determine whether the benefits of employee cell phone use outweigh the risk. Many companies are opting for total ban on cell phone use unless absolutely necessary.

### Some examples of cell phone use policies include:

- Banning all cell phone use while driving.
- Cell blocking technology.
- In-cab cameras.
- Requiring employees to pull over to take phone calls.
- Instructing employees to avoid or terminate phone calls involving stressful or emotional conversations.
- Prohibiting cell phone use in adverse weather or difficult traffic conditions.
- Planning calls prior to traveling or while on rest breaks whenever possible.

To protect themselves, companies should consider establishing a written policy restricting any use of a cell phone and ensure employees read and sign the written policy. The restriction should include the use of handsfree headsets, since studies indicate it's the conversation, not the physical act of holding the phone that contributes to accidents.

### An insurance company's sample policy states:

- Cellular phones should not be used while operating a vehicle.
- Allow voicemail to handle your calls. Return the calls and messages when you are not driving.
- If you need to place a call or send a text message, pull off the road to park in a legal and safe location.
- Ask a passenger to make or take the call.
- Inform regular callers of your driving schedule and when you will be available to talk.
- While driving, keep your hands on the wheel and your eyes and mind on the road.

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\*Source: [http://www.nsc.org/safety\\_road/Distracted\\_Driving/Pages/Hands-free-is-not-risk-free.aspx](http://www.nsc.org/safety_road/Distracted_Driving/Pages/Hands-free-is-not-risk-free.aspx)

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