



April 5, 2022

Hon. Faith Winter  
Chair, Senate Committee on Transportation & Energy  
200 E Colfax Ave  
Denver, CO 80203

RE: Senate Bill 175 – Support Legislation to Address Distracted Driving

Chair Winter,

On behalf of the Alliance for Automotive Innovation (Auto Innovators), I thank you for the opportunity to provide comments in support of SB 175. We want to commend Senator Hansen for his commitment to improving the safety of Colorado's roads by introducing this bill to provide a distracted driving law.

Supporting more than 10 million auto-related jobs, the Auto Innovators membership includes not only vehicle manufacturers representing nearly 99 percent of all cars and light trucks sold in the U.S., but also Tier One suppliers, value chain partners, and technology companies. Auto Innovators' members invest heavily in research and development to design and implement state-of-the-art safety systems to protect our customers. Technological advancement, however, is only part of the equation. Consumer behavior also plays a critical role in vehicle and passenger safety. Wearing seat belts, following the rules of the road, and not driving under the influence of drugs or alcohol are all vital to road safety. Also important to this calculation is the level of attention operators pay to the driving task at hand.

To assist a driver to keep their eyes on the road and hands on the wheel, the industry has developed technologies in today's cars designed around a set of engineering principles aimed at mitigating driver distraction. In fact, these principles, which have been voluntarily followed by vehicle manufacturers for over a decade, served as the basis for the National Highway Traffic Safety Administration's (NHTSA) distracted driving guidelines released in 2014.

In addition to working with NHTSA to bring safer vehicles to the roadways, Auto Innovators and its members have also worked with state legislators across the country to enact roadway safety legislation. It is in this capacity that we are writing to you to ask for your support of SB 175. To improve the current language, however, we would ask for your favorable consideration of the minor amendment language offered below.

In 42-4-239, subsection 3(b), we request an additional exception as follows:

*(VI) a person using an electronic wireless communication device in a vehicle equipped with an automated driving system when the automated driving system is engaged*

These modifications are intended to address the deployment of more highly automated vehicles and are aligned with Colorado's standing commitment to fostering the development of these advanced vehicle safety applications. Colorado is an important state and has already pursued many forward-thinking

# Hands Free to Make Colorado's Roads Safer!

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## SB 22-175: Concerning the use of mobile electronic devices when driving a motor vehicle

### What It Does:

- Prohibits the use of a mobile electronic device for adult drivers unless using a hands-free device
- Drivers under 18 years of age are prohibited from using a mobile electronic device with few exceptions
- Requires data collection and annual reporting to combat potential bias in enforcement
- Provides statewide public awareness campaign in advance of effective date of the hands-free requirement
- Allows first-time offenders to show proof of purchase of a hands-free device and be found not guilty while in court

**Please vote YES on SB 175!**

**Make Colorado roads safer!**

### Important Exceptions:

The following uses of a mobile electronic device are exempted:

- By a person reporting an emergency to state or local authorities;
- By an employee or contractor of a utility services provider when responding to a utility emergency;
- By a person operating a commercial truck when using a mobile data terminal that transmits and receives data;
- By a first responder;
- By a person in a motor vehicle that is lawfully parked.

### Colorado Numbers:

<b>50%</b>	Percentage increase in Colorado traffic <b>deaths</b> since 2011.
<b>90%</b>	Of drivers self-report driving while distracted.
<b>10,166</b>	Number of crashes involving distracted drivers in 2020 (even with fewer drivers on the road due to the pandemic).
<b>42</b>	Crashes per day are caused by distracted drivers.

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**The National Safety Council  
Statement in Support of SB 175: Concerning the Use of  
Mobile Electronic Devices When Driving a Motor Vehicle  
Senate Transportation Committee  
April 5, 2022**

Members of the Senate Transportation Committee, the National Safety Council (NSC) encourages you to support SB 175, which would ban the handheld use of mobile devices while driving. NSC works to eliminate the leading causes of preventable death and injury, focusing our efforts on the workplace, roadway and impairment. We create a culture of safety to keep people safer in the workplace and beyond so they can live their fullest lives. We have more than 15,000 member companies including over 110 in Colorado.

In 2021 alone, preliminary estimates show Colorado lost 687 lives in motor vehicle crashes, a 14% increase from the number of lives lost in 2020.<sup>1</sup> Nationwide, estimates showed a significant increase in motor vehicle-related fatalities again in 2021.<sup>2</sup> These data reinforce the need to improve the safety of our roads for all road users.

Distracted driving is a contributing factor in far too many of these preventable deaths. Anything that requires drivers to take their eyes off the road, hands off the wheel or mind off the task of driving is inherently dangerous. In the five seconds it takes to send or read a text or email message, a vehicle traveling at 55 miles per hour will travel the length of a football field.<sup>3</sup> During that time, drivers can miss much of what is in their driving field, including stop signs and pedestrians.

Safe driving is a collective responsibility. Yet, many drivers still do not understand this risk. According to the AAA Traffic Safety Culture Index, nearly a quarter of drivers reported sending a text or email on a hand-held phone while driving at least once in the past 30 days, nearly 40% reported talking on a handheld cellphone while driving in the past month and almost 35% said they read on their hand-held phone while driving.<sup>4</sup>

NSC believes there is no safe way to use a cell phone and drive; however, banning hand-held use of these devices is a step in the right direction. Primary enforcement of hand-held bans is also more effective at reducing fatal crashes than secondary offense laws.<sup>5</sup>

Adopting a ban on all handheld use of mobile devices while driving will address the need for stronger distracted driving laws and enforcement in Colorado. Your support for this bill would therefore send a strong message that it is our responsibility to keep each other safe on the road by keeping our hands on the wheels, our eyes on the road and our focus on the drive. It is just one important step in making our roads safer for everyone.

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<sup>1</sup> [https://docs.google.com/spreadsheets/d/e/2PACX-1vQ79t8M54jh1klnj4G4S8e-o8JmyNow5\\_iRUdDueKW9YkyA6QLhAT0Gu4sTp-IVCaMISP5YqZ9uRhL/pubhtml](https://docs.google.com/spreadsheets/d/e/2PACX-1vQ79t8M54jh1klnj4G4S8e-o8JmyNow5_iRUdDueKW9YkyA6QLhAT0Gu4sTp-IVCaMISP5YqZ9uRhL/pubhtml)

<sup>2</sup> Ibid

<sup>3</sup> <https://www.nhtsa.gov/distracted-driving/distracted-driving-kills>

<sup>4</sup> <https://aaaafoundation.org/2020-traffic-safety-culture-index/>

<sup>5</sup> <https://www.sciencedaily.com/releases/2014/07/140725144457.htm>

policies to support and advance automated vehicles. This amendment is consistent with Colorado's continuing on improving safety through the use of technology.

We thank you for consideration of our position and requested amendment. Please do not hesitate to contact me at [lyates@autosinnovate.org](mailto:lyates@autosinnovate.org) or 202-326-5543, should I be able to provide any additional information.

Sincerely,



Leighton Yates  
Director, State Affairs

