

Brian Baczkowski

Ms. Kontos

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### Cell Phones in the Hands of Drivers: Risk or Benefit?

As of 2010, there were about ninety million cell phone users in the United States, with 85% of them using their phones while on the road.<sup>1</sup> Because of evidence that cell phones impair drivers by distracting them, some states have considered laws restricting their use in moving vehicles. Proponents of legislation correctly point out that using phones while driving can be dangerous. The extent of the danger, however, is a matter of debate, and the benefits may outweigh the risks. Unless the risks of cell phones are shown to outweigh the benefits, we should not restrict their use in moving vehicles; instead, we should educate the public about the dangers of driving while phoning and prosecute irresponsible phone users under laws on negligent and reckless driving.

We have all heard horror stories about distracted drivers chatting on their cell phones. For example, in a letter to the editor of the *New England Journal of Medicine*, one driver describes being passed by another driver “who was holding a Styrofoam cup and a cigarette in one hand, and a cellular telephone in the other, and who had what appeared to be a newspaper balanced on the steering wheel—all at approximately 70 miles per hour.”<sup>2</sup> Another driver, Peter Cohen, also writes in a separate letter to the editor that after he was rear-ended, the guilty party emerged from his vehicle still talking on the phone.<sup>3</sup> Admittedly, some drivers do use their cell phones

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<sup>1</sup>Anthony Ambrose, "Cell Phone Dangers," *New England Journal of Medicine* 337, no. 2 (2007): 128.

<sup>2</sup>Ambrose, "Cell Phone," 128.

<sup>3</sup>Peter J. Cohen, "Cell Phone Risks," *New England Journal of Medicine* 338, no. 4 (2008): 129.

irresponsibly.

The dangers are real, but how extensive are they? To date there have been few scientific reports on the relation between cell phone use and traffic accidents. In 2007, two scientists at Princeton University studied 699 drivers who owned mobile phones and had been in accidents.<sup>4</sup> The drivers, who volunteered for the study, gave the researchers detailed billing records of their phone calls. With these data, the researchers found that “the risk of a collision when using a cellular telephone was four times higher than the risk when a cellular telephone was not being used.”<sup>5</sup> Although this conclusion sounds dramatic, Redelmeier and Tibshirani caution against reading too much into it:

Our study indicates an association but not necessarily a causal relation between the use of cellular telephones while driving and a subsequent motor vehicle collision. . . . In addition, our study did not include serious injuries. . . . Finally, the data do not indicate that the drivers were at fault in the collisions; it may be that cellular telephones merely decrease a driver’s ability to avoid a collision caused by someone else.<sup>6</sup>

Pointing out that cell phones have benefits as well as risks, the authors do not recommend restrictions on their use while driving. Unfortunately, most states do not keep adequate records on the number of times phones are a factor in accidents. As of December 2010, only ten states were trying to keep such records.<sup>7</sup> In addition, currently there is little scientific evidence comparing the use of cell phones with other driver distractions: fiddling with the radio, smoking, eating, putting on makeup, shaving, and so on.

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<sup>4</sup>Donald A. Redelmeier and Robert J. Tibshirani, "Association between Cellular-telephone Calls and Motor Vehicle Collisions," *New England Journal of Medicine* 336, no. 7 (2007): 63.

<sup>5</sup>Ibid.

<sup>6</sup>Ibid.

<sup>7</sup>National Highway Traffic Safety Administration, *An Investigation of the Safety Implications of Wireless Communications in Vehicles*, by Matt Sundeen (Government Printing Office, 2010), 9, <https://icsw.nhtsa.gov/people/injury/research/wireless/>.

Researchers from the Center for Urban Transportation Research surveyed research on the cell phone issue as of 2009 and concluded that there is “no nationally-accredited document to prove the connection between mobile phone use and traffic accidents.”<sup>8</sup> Because research results have been so inconclusive, it makes sense to wait before passing laws that might well be unnecessary.

In 2010, researchers at the Harvard Center for Risk Analysis found that the risks of driving while phoning were small compared with other driving risks. Whereas the cell phone user’s chances of dying are about 6 in a million per year, someone not wearing a seat belt has a risk of 49.3 per million, and someone driving a small car has a risk of 14.5 per million.<sup>9</sup> Because of this comparatively small risk, regulation of phones may not be worth the cost of the legislation as well as the additional burden such legislation would put on law enforcement officers. In addition to the risks, there are benefits to using phones on the road. One report cites that drivers with cell phones place an estimated 98,000 emergency calls each day and that the phones “often reduce emergency response times and actually save lives”<sup>10</sup> The phones have business benefits too.

In addition to the risks, there are benefits to using phones on the road. Matt Sundeen reports that drivers with cell phones place an estimated 98,000 emergency calls each day and that the phones “often reduce emergency response times and actually save lives.”<sup>11</sup> The phones have business benefits too. According to transportation engineer Richard Retting, “Commuter time is no longer

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<sup>8</sup>Alasdair Cain and Mark Burris, "Investigation of the Use of Mobile Phones While Driving," Center for Urban Transportation Research, last modified April 2009, accessed March 12, 2015, <https://www.cutr.usf.edu/>.

<sup>9</sup>Harvard Center for Risk Analysis, ed., *Cellular Phones and Driving: Weighing the Risks and Benefits*, report no. Phase 1 (2010),

<http://www.nsc.org/distracteddrivingdocuments/cellular-phone-use-while-driving-risk-and-benefits.pdf>.

<sup>10</sup>National Highway Traffic Safety Administration, *An Investigation*, 8.

<sup>11</sup>*Ibid.*, 3.

just for driving. As the comforts of home and the efficiency of the office creep into the automobile, it is becoming increasingly attractive as a work space.”<sup>12</sup> Car phones also have personal benefits. A mother coming home late from work can check in with her children, a partygoer lost in a strange neighborhood can call for directions, or a teenager whose car breaks down can phone home. Unless or until there is clear evidence of a direct link between cell phone use and traffic accidents, the government should not regulate use of cell phones while driving. A better approach is to educate the public to the dangers of driving while distracted and to enforce laws on negligent and reckless driving.

Educational efforts can work. In the last twenty years, government and private groups have managed to change the driving habits of Americans. Seat belts are now regularly worn, people commonly appoint designated drivers when a group is drinking, small children are almost always put in safety seats, and most drivers turn on their headlights in rainy weather. Enforcing laws against negligent and reckless driving can also work. Even groups concerned with safety support this view. For instance, the National Highway Traffic Safety Administration advises states to enforce their reckless and negligent driving laws and, where necessary, to strengthen those laws; it does not call for restrictions on use of the phones.<sup>13</sup> The California Highway Patrol opposes restricting use of phones while driving, claiming that distracted drivers can already be prosecuted.<sup>14</sup> It is possible, of course, that some states do not enforce their laws to the extent necessary. In such instances, citizens should put pressure on highway patrols to step up enforcement, for without fear of prosecution many drivers will not change their behavior.

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<sup>12</sup> Corey Kilgannon, "Road Warriors with Laptops," *New York Times*, August 15, 2010, sec. A, 23, <http://www.nytimes.com/2006/10/24/technology/24iht-laptop.3273237.html>.

<sup>13</sup> National Highway Traffic Safety Administration, *An Investigation*, 6.

<sup>14</sup> Annette Jacobs, "Guest Opinion: No New Laws Needed for Driver Distractions," *Wireless Week*, May 24, 2009, <https://www.wirelessweek.com/>.

The use of cell phones while driving is probably here to stay— despite the risks—unless future studies prove that the risks clearly outweigh the benefits. However, public safety concerns are real. To address those concerns, we should mount a major educational campaign to educate drivers about the dangers of driving while distracted and insist that laws on negligent and reckless driving be enforced as vigorously as possible.

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