Efforts to Ban Cell Phone Use While Driving Are Misguided

**Distracted Driving, 2012**
From Opposing Viewpoints in Context

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Ignoring available studies and statistics, the government is not focusing on the many facets of distracted driving but solely on texting bans and laws prohibiting the use of hand-held phones in cars. Trying to look decisive, Secretary of Transportation Ray LaHood is overstating his case, creating frenzy and panic instead of approaching the problem systematically and effectively.

If you want to know why it may soon be illegal for you to use your cell phone when you drive your car, you have to remember that Ray LaHood, the secretary of transportation, is a government guy. It's all he knows.

As a young man LaHood taught for six years in a private school, but since then it's been government all the way—a few years as a planner for the state planning commission, a term in the Illinois legislature, nearly 20 years as a congressional aide, and 14 years in the big time, as a Republican congressman piping federal grants into a derelict district in central Illinois. Though he's driven many automobiles and ridden in countless airplanes, he has no particular expertise in the nation's transportation systems, and some kibitzers wondered aloud why President [Barack] Obama appointed him secretary. But the kibitzers miss the point: As a government guy LaHood doesn't need any expertise beyond being a government guy.

**Campaigning Against Distracted Driving**

This is where you and your cell phone come in. Over the last several months LaHood has mobilized his vast and lavishly funded ($70 billion) department behind a high-minded goal: "to put an end to distracted driving." Those are his words—not curtail, not discourage, not even reduce by 50 percent. No: *Put an end to*. In its ambition and method, LaHood's initiative is a kind of textbook example of how government guys create work for themselves, manage to keep themselves busy, and put the rest of us on our guard.

The government guy's first step, always, is to raid the language of epidemiology and declare a problem—any problem, from anorexia to obesity—an "epidemic." And so: "Distracted driving is a serious, life-threatening epidemic," LaHood said at one of his big events last month. (By definition, of course, epidemics are serious and life-threatening, but since distracted driving isn't really an epidemic, the adjectives are needed to juice it up.)

Even imaginary epidemics need victims. The next step is for the government guy to identify dead people whose relatives are willing, for unknown reasons, to let him publicly exploit their unutterable grief for his own purposes. To advance his distracted driving campaign LaHood keeps several of these abject relatives handy, so his publicists can position them just behind him and slightly to the right, where the cameras catch them gazing at him with liquid, upcast eyes. The relatives are particularly useful if some cynic or pantywaist naysayer questions the urgency or logic of a government initiative. When his use of statistics was called into
question a few weeks ago, LaHood fired back on his website. "Ask Shelli Ralls," he said, "who lost her son Chance Wayne Wilcox on March 22, 2008" in a "crash caused by a cell phone driver." Here he inserted a tasteful picture of Wilcox's crash site. And then he invoked the deity. "Ask any one of the hundreds of people who have poured out their stories of loss on Oprah." Nothing shuts up a cynic like a grieving mother.

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Epidemic isn't the only essential term for a government guy. Certain phrases act as a kind of dog whistle for bureaucrats, activists, and sympathetic reporters, to let them know an important initiative is afoot. In seeking to end distracted driving in the United States, LaHood has used them all. He has issued a "call to action," vowed to "raise awareness," invoked a "national network" of "stakeholders" pursuing "best practices," insisted that "the American people" "demand action" and "commonsense solutions."

The Definition of Distracted Driving

The most valuable term for LaHood is "distracted driving." It is an expansive phrase that a deft government guy can play like an accordion, stretching or squeezing it as his argument demands. The immediate upshot of LaHood's initiative, he said last month [January, 2010], is that he wants laws that will make it illegal for drivers to use handheld cell phones behind the wheel. State laws, local laws, federal laws, whichever, it seems not to matter to him—just so long as this little slice of unregulated human behavior is prohibited and punished. Already seven states and the District of Columbia have outlawed the use of handheld cell phones by drivers, and dozens more are entertaining similar legislation. LaHood urges Congress to push all states to pass cell phone laws or, if the states fail him, to pass a law of its own.

It's a big step, telling people that they can't hold a cell phone in their car, but the fuzzy phrase "distracted driving" makes it look smaller, more reasonable, and much less intrusive than it is. Department of Transportation literature defines distracted driving as "any non-driving activity a person engages in that has the potential to distract him or her from the primary task of driving and increase the risk of crashing." Elsewhere the department offers a partial list of those dangerous nondriving activities in addition to holding a cell phone: "eating, drinking, conversing with passengers, interaction with in-vehicle technologies [I think this means changing the radio station], daydreaming, or dealing with strong emotions," along with other activities unspecified.

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Quite a list! But LaHood doesn't mention it when he appears at events designed to "raise awareness" about the dangers of handheld cell phone use. At a typical event last month [January, 2010] he announced that "nearly 6,000 people died in 2008 in crashes involving a distracted or inattentive driver," with the implication that a cell phone driving ban would halt the butchery—I mean epidemic.

Data Is Inconclusive

The real-world situation, you won't be surprised to learn, is more complicated. The precise number of these fatalities in 2008 was 5,870. According to the official tables, they occurred in "police-reported crashes in which at least one form of distracted driving was reported on the crash report." The fatality statistic doesn't
tell us anything about cell phone use because it doesn't mention cell phone use. It doesn't even tell us whether "distracted driving," in any of its dozen or more manifestations, was the cause of the fatal crash. An Alzheimer's sufferer who got hit by a dump truck while driving through an oil slick and taking blows from his angry wife with the family dog perched on his shoulder sticking its disgusting tongue in his ear would become, in LaHood's statistical accounting, another piece of evidence for a ban on cell phone driving.

So what do we know about the safety of using cell phones in cars? Aside from the intuitive understanding that we all share—that anyone who can't wait till he's done driving to talk on his cell phone is a jackass—we don't know a lot for certain. The number of fatal crashes "involving distraction" has increased in the last four years; but the overall number of such crashes has declined. Nationwide, car crashes have fallen dramatically while the use of cell phones has jumped dramatically (from 195 billion minutes in June 2000 to 1.1 trillion in June 2008). Last month [January, 2010] the Highway Loss Data Institute issued a report comparing collision rates for states before and after they passed bans on drivers using handheld cell phones. The bans showed no effect on the number, frequency, or severity of collisions.

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LaHood's reaction to this latest report showed why he's the government guy. It should have been a devastating blow; the institute's evidence severely undercuts the logic of his initiative. Instead he took to his blog—yes, even Ray LaHood has a blog—and summarily declared that the new study provided still more evidence that government action was urgently needed.

"The surprising data," he wrote, "encourages people to wrongly conclude that talking on cell phones while driving is not dangerous! Nothing could be further from the truth. Just ask Jennifer Smith ..." Smith, of course, is another grieving mother. He went on to equate cell phone driving with drunk driving. "If anything, the study suggests we need even tougher protections."

**Interpreting Statistics**

How so? LaHood had an explanation for why the state bans had not reduced collisions. In states that banned handheld cell phone use, he said, drivers probably began using hands-free cell phones. And "research tells us hands-free is just as dangerous as handheld."

Thus the call to action escalates, and the needed prohibitions grow more comprehensive. A ban on handheld cell phone use will be insufficient if we are to cure the epidemic. Only a total ban on drivers' use of cell phones, handheld and hands-free, will bring progress.

LaHood didn't go further, at least for the moment. He might have mentioned that "research" also tells us that talking on a cell phone, hands free or handheld, is just as "dangerous" as having a spirited conversation with a passenger, which can be just as dangerous as drunk driving ... and so on through the official list of distractions: eating, drinking, daydreaming ...

We are, in other words, going to need a very big ban, and Ray LaHood is just the guy to give it to us. "Studies of cognitive distraction," he wrote on his blog, "tell us that it's not about where your hands are, but where your head is." It is a dream almost too big even for the most ambitious government guy: a National Initiative for Head Relocation.
Further Readings

Books

Periodicals and Internet Sources
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