



#### OFFICE LOCATION

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## PRACTICE AREAS

Workers Compensation

Personal Injury

Motor Vehicle Accidents

Wrongful Death

2/8/2010

## Illinois bans texting while driving

Texting while driving is a hot topic these days as the dangers of operating a motor vehicle while distracted become increasingly clear. In fact, the government has established a website, [Distraction.gov](http://Distraction.gov), that outlines the risks inherent in driving a car while distracted. (Hat tip: [Day on Torts](#)).

Statistics on the website reveal the extent of the problem presented by distracted drivers:

- In 2008, there were a total of 34,017 fatal crashes in which 37,261 individuals were killed.
- In 2008, 5,870 people were killed in crashes involving driver distraction (16% of total fatalities).
- The proportion of drivers reportedly distracted at the time of the fatal crashes has increased from 8 percent in 2004 to 11 percent in 2008.
- The under-20 age group had the highest proportion of distracted drivers involved in fatal crashes (16%). The age group with the next greatest proportion of distracted drivers was the 20- to-29-year-old age group (12%).
- Motorcyclists and drivers of light trucks had the greatest percentage of total drivers reported as distracted at the time of the fatal crashes (12%).
- An estimated 21 percent of 1,630,000 injury crashes were reported to have involved distracted driving.



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The website also offers statistics regarding the drastic effect that use of a mobile device can have on a driver's attention levels:

- Using a cell phone use while driving, whether it's hand-held or hands-free, delays a driver's reactions as much as having a blood alcohol concentration at the legal limit of .08 percent. (Source: University of Utah)
- Driving while using a cell phone reduces the amount of brain activity associated with driving by 37 percent. (Source: Carnegie Mellon)
- 80 percent of all crashes and 65 percent of near crashes involve some type of distraction. (Source: Virginia Tech 100-car study for NHTSA)
- Nearly 6,000 people died in 2008 in crashes involving a distracted or inattentive driver, and more than half a million were injured. (NHTSA)
- The worst offenders are the youngest and least-experienced drivers: men and women under 20 years of age. (NHTSA)
- Drivers who use hand-held devices are four times as likely to get into crashes serious enough to injure themselves. (Source: Insurance Institute for Highway Safety)

In response to these sobering statistics, more and more jurisdictions are banning the practice because of the rise in automobile accidents caused by this relatively new phenomenon as explained in this recent [New York Times article](#):

In all, lawmakers have already proposed 200 bills to curb distracted driving, and policy analysts expect to see dozens more in the coming months....

The flurry of state activity — coupled with intensifying action by federal legislators and regulators, and by the cellphone and auto industries — is putting renewed focus on the risks of using phones behind the wheel, according to policy analysts.

Illinois recently joined this trend, passing a law ([Public Act 096-0130](#)) which went into effect January 1, 2010 and prohibits a person from operating "a motor vehicle on a roadway while using an electronic communication device to compose, send, or read an electronic message."



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Operating a motor vehicle while using a mobile device is a dangerous proposition—and in many states, including Illinois—it's now against the law. So take heed when you hit the road—protect yourself and those around you—and leave your smart phone where it belongs: in your pocket.