UNIVERSITY TRANSPORTATION RESEARCH CENTER
RESEARCH BRIEF

PROJECT TITLE: EFFECTS OF NEW JERSEY'S CELL PHONE/TEXT BAN

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Background

Since March 1, 2008 there has been a ban on wireless telephone and electronic communication devices in New Jersey while operating a motor vehicle. But from general observation on any roadway, it appears that there are still drivers who are talking on their phones or texting while driving. From 2006 to 2009, NJ crashes, injuries, and deaths for hand-held devices have averaged 1837, 769, and 6, respectively, while hands-free averaged 1570 crashes, 659 injuries, and 3 deaths. It is generally believed that the number of crashes attributable to phone or text use is under-reported as drivers will rarely admit to their use and enforcement normally does not witness the crash event. Additionally, law enforcement resources may be limited and issuing citations for phone or text use may be competing with other enforcement priorities.

Research Objectives

The objectives of this research were to ascertain whether the legislation has had any effect on actual crash and citation data as well as understanding whether NJ drivers know about the ban and their attitudes toward the phone and text use while driving and the legislative ban.

Research Approach

The research activities consisted of three main tasks: a literature review of previous studies on the effects of a legislative ban on the use of cell phones while driving; a review and analysis of NJ crash and citation data related to cell phone use; and a survey of driver attitudes and beliefs related to NJ's law.

Findings

Literature Review

While many states have enacted laws it is very unclear whether they have had any impact on the reduction in use by drivers and ultimately reducing crashes, injuries, or deaths on our roadways. This is echoed in a 2011 report prepared by the World Health Organization and NHTSA which states "despite increasing action taken by many countries to limit the use of mobile phones in vehicles through legislative measures, there is very little data on the effectiveness of such countermeasures on crash rates."

As seen in the history of NJ's hand-held cell phone ban law, developed over a period of 11+ years, the Legislature has recognized the severity of hand-held cell phone use by its drivers. Legislative efforts are continuing today to refine definitions, increase fines and impose additional penalties.

Data

Hand-held cell phone crashes and citations were analyzed to understand the order of magnitude of the problem as well as trends since the law was enacted.

Year	Total # of Crashes	Total # of Hand Held Crashes	Total # of Crashes w/Citation Issued	% Hand-Held Crashes w/Citation Issued
2006	295547	1854	128	6.90%
2007	306819	1866	112	6.00%
2008*	303013	1821	166	9.10%
2009	301233	1807	185	10.24%
2010	299575	1833	187	10.20%
2011	293595	1832	216	11.90%
*cell phone ban enacted				

Despite passage of legislation to ban the use of hand-held cell phones, crashes initially declined, but rose after the first year of the ban. At the same time the number of citations issued by law enforcement in a cell phone related crashed increased. A possible explanation may be that law enforcement was more diligent after the 2008 law was passed in attributing the crash to cell phone activity.

Survey

The third task of this research effort was to assess the public attitude towards distracted driving, including opinions, driving habits, and normal cellular phone usage. A short survey taking about 10 minutes to complete, aimed to gather demographic, behavioral, and attitudinal information using a combination of multiple choice and scale questions.

New Jersey drivers are very familiar with the law banning use of hand-held cell phones while driving but consciously decide to violate that law anyway. Why? Because they also believe that there is very little chance that they will be punished for that violation. These same drivers overwhelming support a ban on talking and texting while driving and a little more than half of them believe that more restrictions on this type of behavior is necessary. Each of these drivers, 74.1%, has over 20 years of driving experience with 70.7% between the age 36 and 65. These drivers who know the law, are experienced, choose to continue to break the law.

Conclusions

The purpose of any law or regulation is to modify or change a behavior. In this case that behavior is the use of a cell phone while driving. But if those laws are not enforced or at least have the appearance of enforcement, they become ineffective to affect that change. The NJ Legislature enacted a cell phone ban law that they believed would reduce the use of hand-held cell phones and ultimately reduce crashes associated with that use. The data collected on cell phone attributed crashes would not point to what the Legislature had intended the law to provide. While it may be convenient to point to the legislation as ineffective at reducing crashes, it may be better to assert that it has been ineffective in getting drivers to change their behavior.

The results of this research effort may be useful for further exploring the effects of this type of legislation on driving behavior. As many states have newly enacted laws, continued review of them as they progress will show whether they produced the expected effectiveness.