

# Committee of the Whole

## Agenda Cover Memorandum

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Meeting Date: December 14, 2009

Item Title: Cell Phones/Distracted Drivers

Action Requested:

- Approval
- For discussion
- Feedback requested
- For your information

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Background:

At the November 9, 2009 Committee of the Whole meeting, there was discussion about a hands-free cell phone ordinance. Council requested some additional information.

Currently two jurisdictions in the area have ordinances that prohibit the use of hand-held cell phones while driving – Chicago & Winnetka. Both of their ordinances are attached. The Village of Winnetka cites the following justifications for the ordinances:

“The Illinois Secretary of State has reported that using a cell phone while driving increases your chances of getting into a crash by 400%; the Village Council finds that regulating the use of mobile telephones while driving within the corporate limits of the Village of Winnetka is a matter pertaining to the protection of the health, safety and welfare of the Village, its residents, drivers, passengers, and pedestrians who travel on the streets within the Village.”

Also, effective January 1, 2010, two new laws go into effect:

- **HB71 Vehicle Code – Electronic Communication Devices.** This law, now Public Act 96-0130, provides that a person may not operate a motor vehicle on a roadway while using an electronic communication device to compose, send, or read an electronic message with certain exceptions.
- **HB72 Vehicle Code – No Phone in School Zone.** This law, which is now Public Act 96-031, provides that a person regardless of age may not use a wireless cell phone in a school speed zone or on a highway in a construction speed zone with certain exemptions.

According to the State’s Distracted Driving Task Force, the two new laws should have a significant effect on highway safety in Illinois. Some legislators feel that the new laws are the first step toward passing a statewide law banning hand-held cell phones. See the attached article “Illinois: Cell phone laws, legislation.”

In reference to my personal opinion on the use of cell phones while driving, I feel it is extremely dangerous. In my experience, people do not concentrate on driving when using a cell phone. However, in the research I've read, the issue is much broader to me than just banning cell phones. I believe the critical question is really one of "distracted driving." While an ordinance prohibiting cell phone usage might help in some situations, the greater issue is all the behaviors drivers do while driving that distracts them. While studies prove that people become distracted when using cell phones, the data also proves that this occurs whether cell phones are hand-held or hands free. Similarly, adjusting a car radio or CD player, monitoring a global positioning device, applying makeup or shaving also results in less driver concentration and focus.

One of the problems associated with the local ordinance approach to addressing cell phone issues is compliance. According to Chief De Lopez in Winnetka, non-residents do not know about the ordinance and subsequently get tickets. From a public relations perspective, it is probably not the best approach. Chief De Lopez would prefer a statewide ban.

I polled my staff about this issue. All agree that distracted driving is a significant problem, and a danger in the community. However, they too prefer a statewide ban approach. Some staff members fear a negative backlash from enforcement of this type of ordinance.

Recommendation:

Therefore, I would recommend the following:

- Monitor citizen reaction and enforcement of the new laws that go into effect on January 1, 2010.
- Support efforts for a statewide ban on hand-held cell phones and distracted driving legislation.
- If the Council wishes to pursue an ordinance, conduct some focus groups and possibly a town hall meeting on the issue.
- Look at the feasibility of doing an educational campaign to address the issue. The Allstate Insurance Company recently started a campaign called Family Texting Pledge. See attached. Maybe we could partner with Allstate to deliver this campaign to Park Ridge.

Budget Implications:

Does Action Require an Expenditure of Funds:  Yes  No

If Yes, Total Cost:

If Yes, is this a Budgeted Item:  Yes  No

Attachments:

- Article "Illinois: Cell phone laws, legislation"
- Family Texting Pledge