

# Executive Summary: Health Impact Review of SSB 5289

## Modifying the Infraction of and Penalties for Distracted Driving

(2017-2018 Legislative Session)

Evidence indicates that SSB 5289 has the potential to decrease distracted driving, improve health outcomes by reducing injuries and fatalities caused by distracted driving accidents, and decrease health disparities experienced by young drivers.

### BILL INFORMATION

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**Sponsors:** Senators Rivers, Lias, Miloscia, Carlyle, Kuderer

**Companion Bill:** [HB 1371](#)

#### Summary of Bill:

- Establishes that a person is guilty of a traffic infraction if they use a personal electronic device while driving a motor vehicle on a public highway.
- Establishes the base penalty for a first infraction of \$48 and a total penalty of \$136. A second violation and any violation thereafter carries a base penalty of \$96 and a total penalty of \$235.
- Defines a personal electronic device as any device that is capable of wireless communication or electronic data retrieval and includes, but is not limited to, cell phones, tablets, laptops, electronic gaming devices, and two-way messaging devices.
- Defines “use” of a personal electronic device as holding a device in either one or both hands; watching a video; or using a hand or finger to compose, send, read, view, access, browse, transmit, save, or retrieve email, text messages, instant messages, or photographs.
- Allows for the minimal use of a single finger to activate, deactivate, or initiate a function on a personal electronic device.
- Establishes a number of exemptions including summoning emergency services, and exemptions for drivers operating an emergency vehicle, transit system employees, and commercial motor vehicle drivers.
- Repeals existing statutes that relate to cell phone use and texting while driving.
- Creates a new secondary traffic infraction for driving dangerously distracted, which is defined as engaging in an activity not related to the actual operation of a motor vehicle in a manner that interferes with the safe operation of such motor vehicle on any highway.
- Establishes that the \$30 base penalty from a driving dangerously distracted infraction must be deposited into a Distracted Driving Prevention account to be used for programing dedicated to reducing distracted driving.

### HEALTH IMPACT REVIEW

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#### Summary of Findings:

This Health Impact Review found the following evidence regarding the provisions in SSB 5289:

- A fair amount of evidence that strengthening the distracted driving laws in Washington would likely decrease distracted driving.
- Strong evidence that decreasing distracted driving would likely improve health outcomes.
- A fair amount of evidence that improving health outcomes would likely decrease health disparities experienced by young drivers.

### FULL REVIEW

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For review methods, logic model, strength-of-evidence analyses, and citations of empirical evidence refer to the full Health Impact Review:

<http://sboh.wa.gov/Portals/7/Doc/HealthImpactReviews/HIR-2017-13-SB5289.pdf>

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