House Study Committee on Distracted Driving

Report of the Committee

December 31, 2017

Georgia General Assembly
House Budget and Research Office

This report is submitted pursuant to the following resolution,

HR 282,

which created the House Study Committee on Distracted Driving

to which members were appointed by the Speaker of the House of Representatives

Representative John Carson, Chairman

Representative Eddie Lumsden

Representative Shaw Blackmon

Representative Brian Prince

Representative Heath Clark

Representative Darlene Taylor

Representative Doreen Carter

Representative Robert Trammell

Representative Rich Golick

Representative Bill Hitchens

Georgia House of Representatives

House Study Committee on Distracted Driving

Members of the Committee

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Representative Darlene Taylor

Representative Robert Trammell

Staff

Craig Foster

Policy Analyst

House Budget and Research Office

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Office of Legislative Counsel

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Key Findings

The following are the committee's key findings from studying the issue of distracted driving in Georgia:

- Georgia's traffic crashes are becoming more frequent and more severe. Traffic crashes are up 36% from 2014 to 2016, and resulting fatalities are up 34% over the same period.

- This increase occurs mainly in three types of crashes: (1) rear-end collisions; (2) single car crashes; and (3) crashes by 15-25-year-old drivers. Public safety personnel state this is a clear indication of driver inattention.

- In addition, the increase in fatalities is also notable in these groups: (1) pedestrians; (2) motorcyclists; and (3) bicyclists.

- Public safety personnel across our state have made it clear that our laws against texting and driving are unenforceable because law officers cannot determine whether a driver is texting or simply dialing a telephone number.

- Our texting laws are ineffective. For example, there were more Georgia traffic fatalities per VMT in 2016 than before the 2010 texting law.

- Georgia leads the entire nation in auto insurance premium rate increases (12.2% average increase in 2016 vs. 5.6% nationwide).

- This issue is placing enormous demands on our public health infrastructure, since many times the affected individuals impacted by these crashes are underinsured or have no insurance.

- A driver in rural Georgia is twice as likely to be in a fatal distracted driving accident as an urban area driver (due to speeds, undivided highways, and greater distance to emergency / trauma care centers).

- Of the 15 states plus the District of Columbia ("D.C.") that have enacted "hands-free" laws, 13 of these states saw an average 16% decrease in traffic fatalities within two years after passing and enforcing their new laws.

Background of Distracted Driving

Overview of Issue

Since reaching its lowest point in 2014, there has been a significant increase in traffic fatalities in Georgia. According to crash data from the Georgia Department of Transportation ("GDOT"), there were 1,170 traffic fatalities in Georgia in 2014, 1,432 in 2015 and 1,561 in 2016. This represents a 33% increase in deaths from 2014 to 2016: the highest level since 2007. According to the National Safety Council, fatal crashes in Georgia from 2014 to 2015 increased at three times the national average.

With an improved economy and lower gasoline prices, both the number of vehicles on the road and the number of miles driven per vehicle have increased in the past two to three years. The Federal Highway Administration estimates the number of miles driven in 2015 increased by 3.5% nationally (the largest annual increase since 2000). According to the Georgia Department of Driver's Services ("DDS"), the number of licensed drivers in Georgia increased from 6,650,037 in 2014 to 6,975,900 in 2016. More drivers driving more miles will result in more accidents.

More interestingly, GDOT, through accident reports collected by the Department of Public Safety ("DPS"), reports that 51% of fatal accidents each year are single vehicle accidents. In 2015, 60% of fatalities were from a driver failing to maintain his or her lane, and 74% were attributed to driver behaviors such as impaired driving, driving too fast for conditions, and distracted driving. It is these behaviors that can be studied and addressed to possibly make a positive impact.

Since Georgia began increasing penalties for impaired driving (DUI) and passed a primary enforced seat belt law, the number of deaths attributed to these behaviors steadily declined. However, the more recent and notable change in driver behavior has been the common use of mobile technology. In a 2015 survey by AT&T, 70% of respondents admitted to using their smartphones while driving. The Insurance Institute for Highway Safety and the Highway Loss Data Institute in their 2015 studies estimated that 7% of drivers are talking on their cell phones at any given moment. These groups further estimated that 2.2% of all drivers, and 4.9% of drivers aged 16-24, were observed manipulating a handheld device. Technology use is a significant and growing portion our daily lives, and these studies are showing its misuse is increasing the number of deaths in our roadways.

Georgia has adopted several laws to address distracted driving and specifically technology use while driving. That said, it is likely that for several reasons the current statutes may not be enough to address this growing threat. It is for this reason the House Study Committee on Distracted Driving was created and this was the focus of its study.

National Statistics

The National Highway Traffic Safety Administration ("NHTSA") estimated that in 2015, 3,477 people were killed and 391,000 were injured in car crashes due to distracted driving (NHTSA Distracted Driving Overview). In the same year, the Centers for Disease Control estimated that 16% of all crashes with injuries and 10% of fatal crashes were due to distracted driving (CDC Distracted Driving Overview). As this relates to mobile technology specifically, "Unlike distractions such as eating, selecting pre-set radio stations, etc., electronic devices are more interactive and require greater time commitment and continual attention, response and manipulation to obtain a desired result."[1]

In the same study, it was stated that sending and receiving a text message takes the driver's eyes off the road on average of 4.6 seconds. That is the equivalent to driving blindfolded the distance of a football field at 55 miles per hour. Dr. Jonathan Rupp, the Co-Director of the Injury Prevention Research Center at Emory University, testified before the committee and cited a study done by NHTSA that found a driver is twice as likely to be in a crash while driving distracted. The crash likelihood varied based on the type of distraction. For example, a driver is 12 times more likely to have a crash while dialing a phone as opposed to twice as likely when simply talking on one.

As dangerous as distracted driving is in general, it is especially so for young drivers. Automobile crashes remain the number one killer of teenagers and young adults. According to data presented by DPS, between January 1, 2013 and June 30, 2017, there were 780,062 crashes, 430,662 injuries, and 2,748 fatalities for drivers aged 15 to 25. In 2017 alone, 5,683 of those crashes are attributed to distracted driving. The AAA Foundation for Traffic Safety found in its 2015 study that 58% of teen crashes were due to driver distraction. In several surveys of teen drivers, as many as 41% percent reported reading social media while driving, 30% reported posting on social media, and 58% reported texting and driving. Drivers 19 to 24 years of age outpaced other driver's frequencies at 66.1% for reading and 59.3% for sending communications. Distracted driving is a national issue and one that must be addressed for the safety of all citizens.

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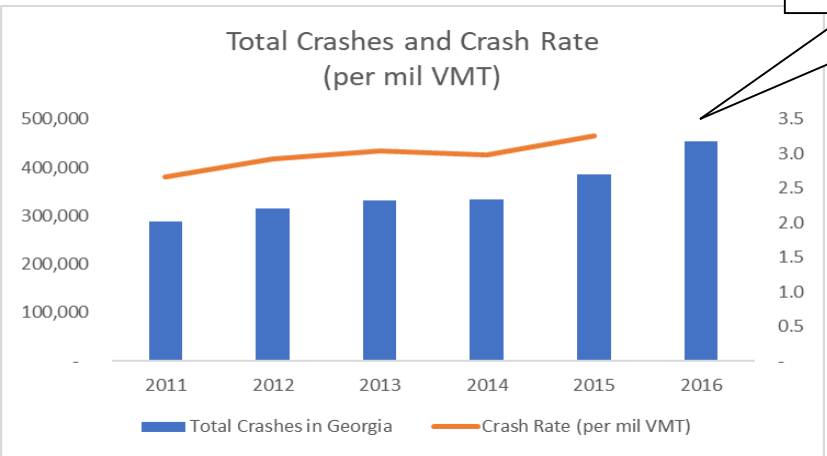
[1] Chase, C., U.S. State and Federal Laws Targeting Distracted Driving, Annals of Advances in Automotive Medicine, Vol 58, pg. 84 (2014).

Current State of Traffic Crashes

Total Crashes and Crash Rate – per million Vehicle Miles Traveled ("VMT")

Traffic crashes in Georgia are increasing significantly in number:

36% increase from 2014 to 2016.



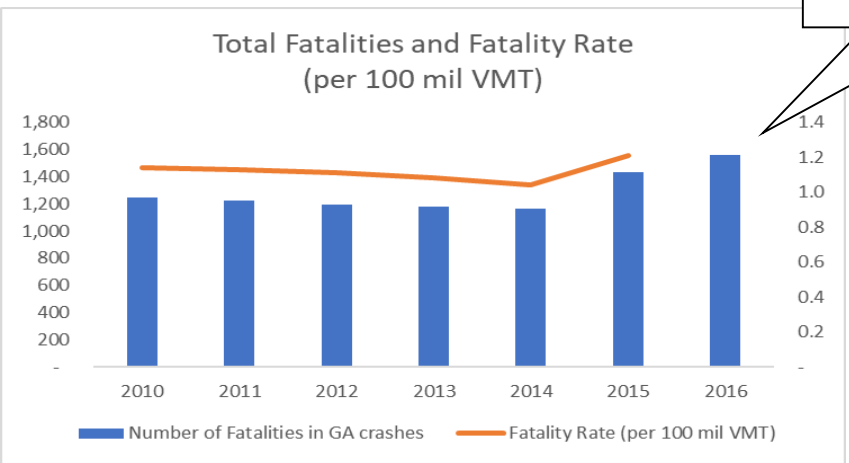
Source: Georgia Governor's Office of Highway Safety
Note: 2016 data for crashes per million VMT is not yet available

Public safety officials, including Georgia State Patrol and local law enforcement across Georgia, cited the following main types of crashes causing these increases: (1) Rear-End crashes; (2) Single-Car crashes; and (3) Crashes by 15-25-year-old drivers. See Appendix "**Leading Increases in Traffic Crashes by Type**."

Fatalities in Georgia Crashes – per 100 million VMT

Fatalities from these traffic crashes are likewise increasing:

34% increase from 2014 to 2016.

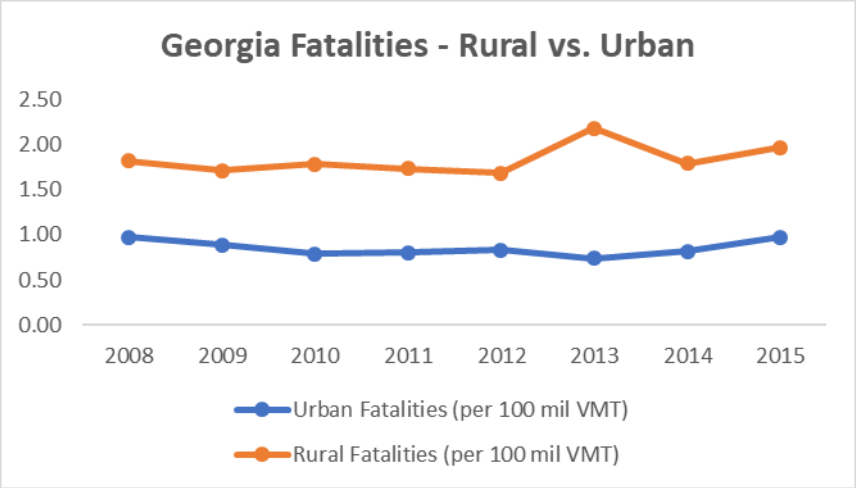


Source: Governor's Office of Highway Safety, Georgia State Patrol
Note: 2016 data for fatalities per 100 mil VMT is not yet available

Public officials also noted the main categories of fatalities with significant percentage increases were: (1) bicyclists; (2) pedestrians; (3) motorcyclists; and (4) passenger car occupants. See Appendix "**Leading Increases in Traffic Fatalities by Type**."

Rural vs. Urban Crash Severity

Through our study of crash data, our study committee also noted crashes in rural Georgia are twice as likely to be fatal than in urban areas.



Source: Georgia Governor's Office of Highway Safety

This discrepancy is primarily due to:

- Higher rates of speed being traveled;
- More undivided highways, thereby increasing the likelihood of a head-on collision; and
- Further distance to a hospital / trauma care center.

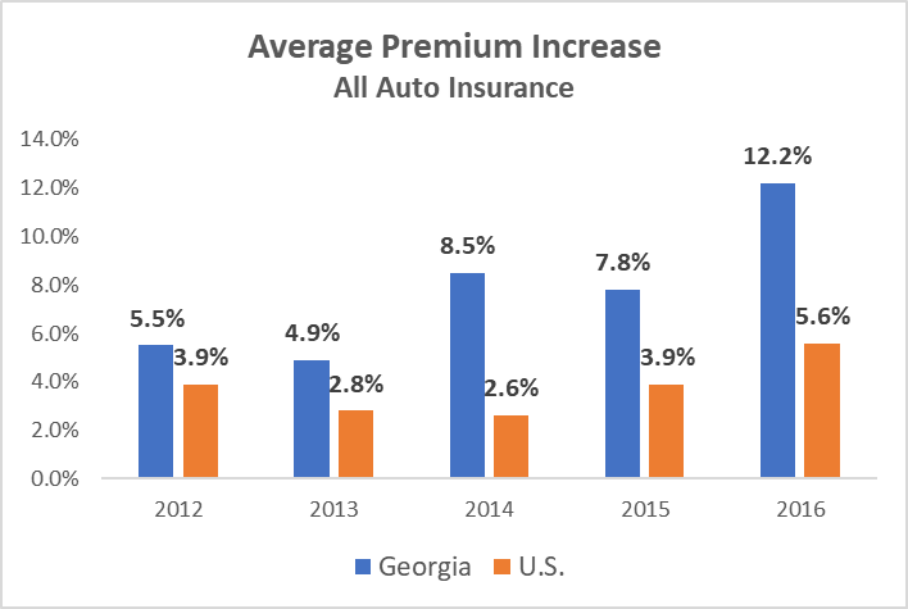
As a result, we believe distracted driving is a significant public safety issue for our state's rural areas.

Impact of Increased Traffic Crashes

In addition to the obvious tragedy of higher losses of life caused by distracted driving, there are numerous other areas that are adversely impacting Georgians.

Auto Insurance

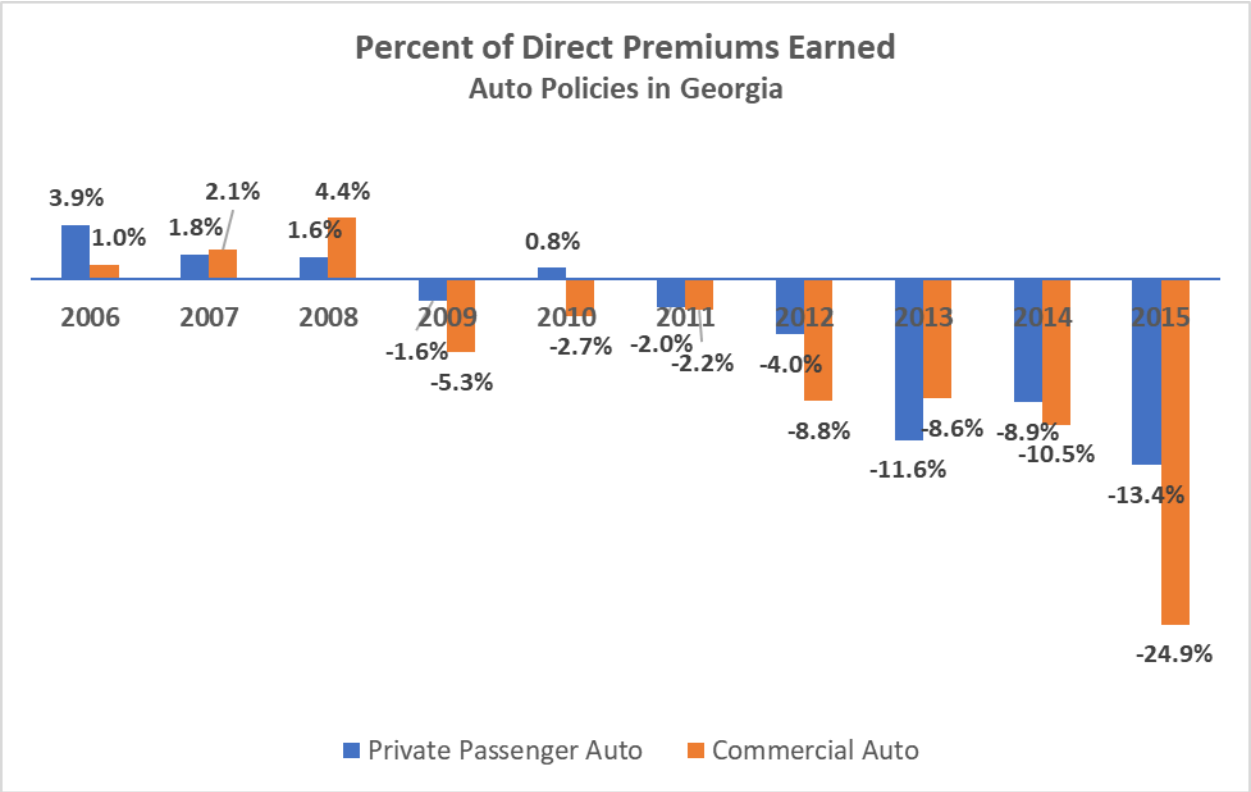
These increases in traffic crashes have also caused our state's premium rates to increase each of the past five years. According to the National Association of Insurance Commissioners, Georgia had the highest average increase in auto insurance premiums in 2016, leading the nation at 12.2%.



Source: S&P Global Market Intelligence

Despite these increases in premiums, insurance companies have experienced increased underwriting losses due to the higher claims. The following is a graph of the insurance industry's direct premiums earned, which is a comparison of premiums earned over each calendar year vs. insurance claims for the same year.

Note how auto insurance companies have incurred losses since 2011, with the largest percentage loss in 2015.



Source: NAIC
Note: 2016 data not yet available from NAIC

Dr. Robert Hartwig, Professor at the University of South Carolina and Co-Director for its Center for Risk and Uncertainty Management, shared the following data points:

- The frequency of collision claims in Georgia increased 6.9% in 2016 (7th highest nationally). The national average was 5.1%;
- Bodily injury claims through June 2017 were up 4.7% in frequency and 7.4% in severity;
- Property damage claims through June 2017 were up 8.6% in frequency and 1.9% in severity;
- Georgia's collision loss ratio was up 23.6% from 2010 to 2015 and, for the first time in recent history, was above the national average. This trend continued into 2016.

Healthcare

Given that few drivers readily admit to distracted driving as the cause of an accident, it's rather difficult to assess the exact impact of this public safety issue on our state's healthcare system. However, our study committee listened to presentations from Medical Association of Georgia, WellStar Health System, trauma surgeons, and the Georgia Department of Public Health ("DPH"). We believe this issue is causing a strain on our state's healthcare network, especially upon trauma care and emergency rooms.

According to DPH, Georgia's motor vehicle crashes in 2015 (measuring only Georgia residents) resulted in:

- 5,860 hospitalizations, resulting in $698 million of charges; and
- 103,926 emergency room visits, resulting in $416 million of charges.

Of these hospitalizations, approximately 55% are paid by private insurance or uninsured patients, with the remaining 45% paid through public programs.

WellStar Health System presented that distracted driving is "seriously overcrowding" its emergency departments and intensive care units. This is also leading to increased patient wait times for ER admittance and treatment. WellStar further stated this issue is causing its trauma care nurses to have behaviors consistent with compassion fatigue and burnout.

Traffic Delays / Transportation

The issue of distracted driving is also causing traffic delays and stress to our highway infrastructure. For example, when a driver is distracted at a traffic light and does not proceed upon a green light, traffic sensors at the intersection do not detect movement. When this occurs, the traffic light changes more quickly to red than if sensors are detecting moving vehicles passing through the intersection.

In addition, driver inattention is also causing an increase in construction zones. GDOT reports that road construction fatalities increased 74% from 2014 to 2016. See Appendix "**Transportation Work Zones Crashes and Fatalities**."

Enforcement of Distracted Driving Offenses

Types of Driving Distractions

NHTSA defines distracted driving as "…any activity that diverts attention from driving, including talking or texting on your phone, eating and drinking, talking to people in your vehicle, fiddling with the stereo, entertainment or navigation system—anything that takes your attention away from the task of safe driving." NHTSA further notes that sending or reading a text, or any other visual interaction with an electronic device, takes your eyes off the road for approximately five seconds.

There are three recognized types of distractions while driving:

- **Visual** – Taking your eyes off the road. Examples include texting, Internet browsing, or otherwise glancing at objects inside or outside the vehicle but unrelated to the road.

- **Manual** – Taking your hands off the steering wheel. Examples include holding a mobile phone, eating, drinking, smoking, etc.

- **Cognitive** – Taking your mind off the road. Examples include talking to another passenger, a crying infant, thinking about other activities / responsibilities, etc.

Each form of distraction is dangerous on its own, and most instances of distracted driving involve two or more of these types of distractions.

Georgia's 2010 Texting Law

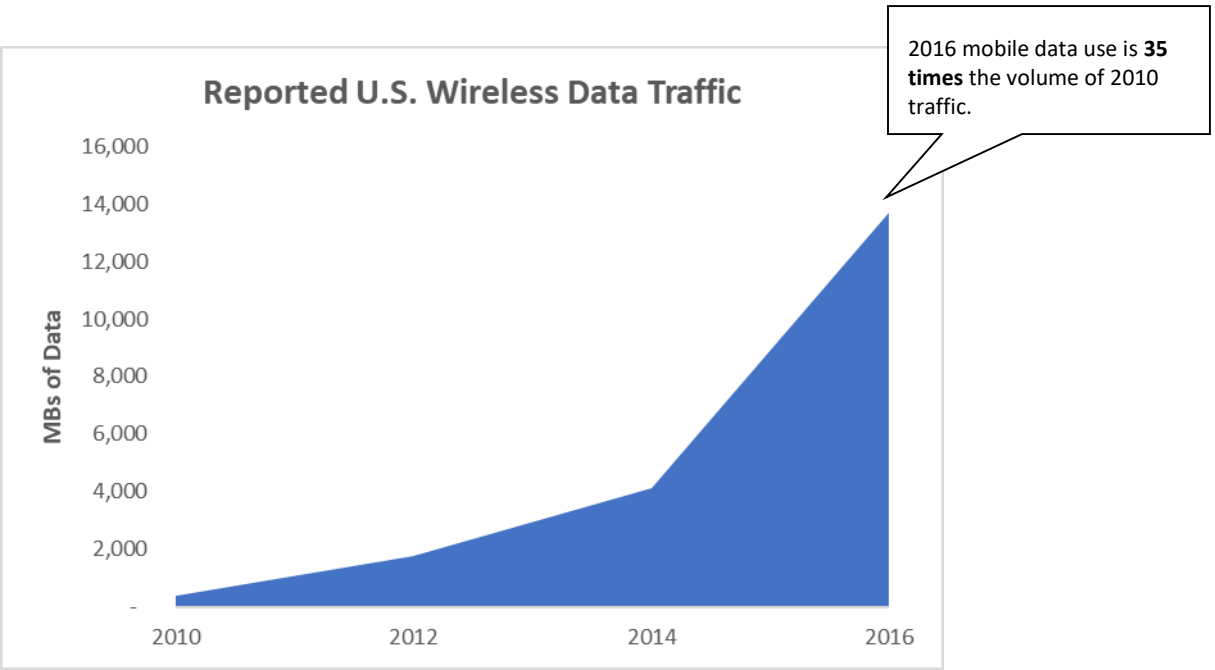
Like many other states, Georgia enacted a "no-texting" law. However, several issues have evolved since passage of this law:

- **Difficulty in enforcement** - (see below)

- **Confusion on the law** – Many drivers refer to this statute as the "no-texting" law, even though the statute also prohibits Internet data. O.C.G.A. § 40-6-241.2 states *"(b) No person who is 18 years of age or older or who has a Class C license shall operate a motor vehicle on any public road or highway of this state while using a wireless telecommunications device to write, send, or read any text based communication, including but not limited to a text message, instant message, e-mail, or Internet data."* As a result, drivers accessing Internet sites and related data (i.e. Google, social media sites, etc.) believe they are abiding by their understanding of the law since they are not "texting".

- **Multiple statutes** – The Prosecuting Attorneys Council of Georgia and municipal court judges cite confusion as well. A distracted driving violation, depending on its nature and circumstances, could potentially be prosecuted under one, two or all three of Georgia's statutes covering this issue. This uncertainty can many times cause a judge to dismiss charges because of ambiguity in the law.

- **Changing technology** – Since 2010, texting volume has decreased slightly, but overall wireless Internet data has increased dramatically. See next page for a graph on the increase in Internet data traffic on mobile devices.



Source: Cellular Telecommunications Industry Association

Difficulty of Enforcing Georgia's Existing Texting Law

This law went into effect in 2010, but state and local law enforcement have had numerous issues enforcing this law, including:

- **Inability to determine driver's actions** – Law enforcement has made it clear to our committee that determining what exactly a driver is doing on his or her phone is very difficult. Traffic officers cannot determine whether someone is dialing a phone number, or texting / Internet browsing.

- **Risks to law enforcement** – To successfully enforce this law, a law enforcement officer must look through to the driver's window (which are many times tinted) to his or her phone and determine which mobile phone functions or applications the driver is using. In addition, if the law enforcement officer is working alone, he or she must usually do this while safely operating his or her own vehicle.

- **Privacy concerns** – Based on recent judicial decisions, we believe there are significant 4th Amendment privacy issues / concerns with accessing a driver's mobile phone data and usage.

Inconsistency with DUI Laws

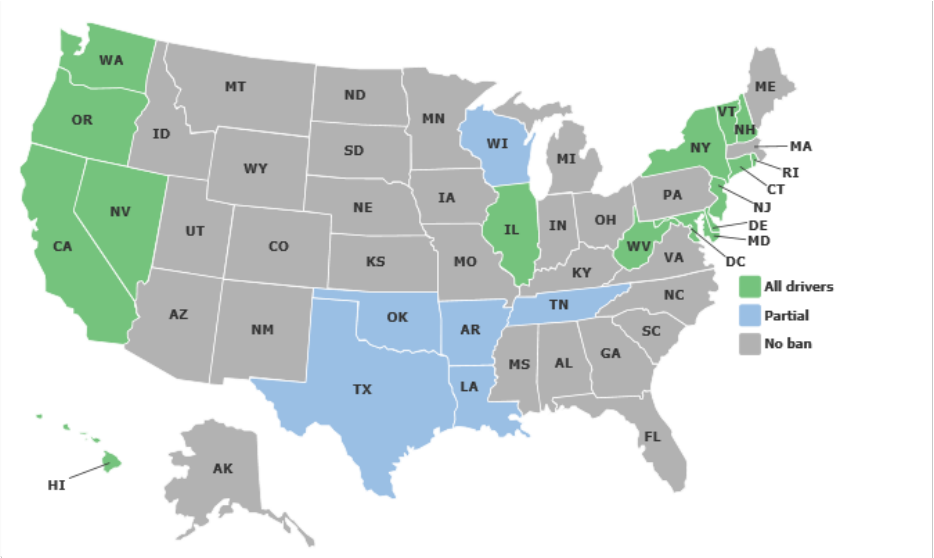
In addition, we also noted that our state's penalties for texting and driving are far less severe than for Driving Under the Influence. Currently, the penalty in Georgia for texting and driving is $150 and a 1-point penalty against a license for each occurrence.

See Appendix for brief discussion of Georgia's DUI penalties.

Effectiveness of Hands-Free Laws

States with Hands-Free Laws

The following is a map of the U.S. states that have a hands-free law as of December 2017:



Source: Insurance Institute for Highway Safety

Discussion of States' Hands-Free Laws

To determine the effectiveness of a hands-free law, our committee reviewed NHTSA (National Highway Traffic Safety Administration) data of fatalities per 100 million Vehicle Miles Traveled ("VMT").

As of September 2017, a total of 15 states and D.C. have hands-free laws governing mobile phone use while driving. Of note, New Mexico does not have a statewide ban, but rather a Local Option by Jurisdiction law against handheld cell phone use.

The following page is a chart of the fatality percentage increase / decrease for the 15 states and D.C. that have hands-free laws.

Reduction in Fatalities per 100 MVMT

State	Approximate year of law's passage	Fatality increase/(decrease) %: From year before passage to 2 years after	Total since before law
California	2008	-31.1%	-22.1%
Connecticut	2005	-1.1%	-9.7%
Delaware	2010	-3.1%	-0.8%
D.C.	2004	-45.5%	-65.2%
Hawaii	2013	-26.6%	-26.6%
Illinois	2014	4.4%	4.4%
Maryland	2010	-13.1%	-10.1%
Nevada	2011	-6.9%	-0.9%
New Hampshire	2015	n/a	n/a
New Jersey	2007	-21.6%	-26.5%
New Mexico	2014	-12.1%	-12.1%
New York	2001	-1.8%	-22.1%
Oregon	2017	n/a	n/a
Vermont	2014	-19.6%	-19.6%
Washington	2007	-22.3%	-15.2%
West Virginia	2013	-23.3%	-23.3%
Average		**-16.0%**	**-17.8%**

Highlighted results indicate a more than 20% statistical decrease in fatalities over the period.

Source: NHTSA

Observations from this data:

- 12 of the 15 states experienced a decreased in fatalities within two years after their hands-free law passed, while two other states (New Hampshire and Oregon) did not have sufficient data; and
- Six of these states saw a greater than 20% decrease in fatalities.

As noted above, traffic fatalities have noticeably been reduced in the years after passage and enforcement of hands-free laws.

Study Committee Recommendations

Based on our committee's meetings, statistics and data provided, and testimony from involved parties, our Study Committee recommends the State of Georgia implement the following recommendations:

Recommended Change	Discussion	Why Recommended
Enact a "Hands-Free" law in the state of Georgia.	Prevents Georgia drivers from having physical contact with their mobile phones or other telecommunications equipment, including all mobile phones, tablets, iPads, etc. Also need to create restrictions on use of smart watches. As of December 2017, 15 other U.S. states have a "Hands-Free" law in effect.	The main benefit of this option is enforceability. Law enforcement officials from across the state have made it clear that the current law is unenforceable, as public safety officers cannot determine whether someone is texting or merely dialing a telephone number. In addition, this solution is simple and has been effective in other states. Also, based on input from public safety officials and other states' updated laws, we also recommend allowing Georgia drivers to touch or "swipe" their mobile phone once for dialing / receiving a call and once more for ending a call. Public safety officials have informed us that this is still easily enforceable.
Increase the fine along a staggered scale from $150, up to $1,000 for serious, repeat offenders.	The current fine for a distracted driving citation is $150. In addition, we want to enable local courts to scale the fine to the seriousness of the offense (i.e., while both actions are hazardous to public safety, holding a phone while stationary or moving slowly could be argued to be less serious than accessing social media and other similar Internet data applications while driving at much higher speeds).	When compared to Georgia's statutory fines for driving under the influence, as well as other states' fines for texting and driving, this figure is rather low.

Study Committee Recommendations (continued)

Recommended Change	Discussion	Why Recommended
Increase the penalty along a staggered scale to 2 points and up to 4 points for serious, repeat offenders.	The current license penalty for a distracted driving citation is only one point. In addition, we want to enable local courts to scale the penalty to the seriousness of the offense (see above).	When compared to Georgia's statutory penalties for driving under the influence, as well as other states' fines for texting and driving, this figure is rather low, particularly given that 15 points are accumulated before suspending a Georgia driver's license.
Collapse the three state statutes concerning distracted driving into one, clear statute.	Because a citation could possibly fall one, two, or all three, this causes confusion with regards to which statute(s) in OCGA 40-6-241 govern an offense, and a lack of consistency with regards to fines / penalties.	We believe collapsing these laws will provide more clarity to both law enforcement and the courts going forward.
Promote continued education and culture change.	We recommend continued and expanded distracted driving and related seminars (i.e. *Life Changing Experiences*, Teen Victim Impact Program, crash survivors as speakers, etc.) to educate Georgia's drivers, particularly young adults. Overall, we would like to see distracted driving become as culturally unacceptable as drunk driving.	We recognize that this culture change will take time to develop. However, given the long-term benefits of safety and saved lives, we believe such an initiative is very worthwhile.

Other Potential Solutions and Why Not Proposed

Option	Description	Why Not Recommended
Require technological applications / solutions on smartphones and other devices.	There are numerous smartphone applications that could potentially reduce distractions while driving. As of 2017, these include LifeSaver, AT&T's DriveMode, TrueMotion Family, Mojo, etc. Each of these applications has various benefits including the ability to block text messages / calls, and track vehicle speed and locations, etc.	We appreciate these technological advances, but the overall issue of distracted driving is human behavior, not technology. This applies to any distraction, not just mobile phones. Since a driver's actions / behavior would be required to download, install, and activate an application (and not disable it), our study committee does not believe this would be an effective alternative.
Completely ban the usage of mobile devices by drivers.	This proposal has previously been made by the National Safety Council and other public safety advocacy groups.	Though likely effective, we believe this solution is not realistic or viable. In addition, it is the study committee's understanding that the National Safety Council is no longer actively advocating this solution. It is also worth noting that not a single U.S. state completely bans the use of a mobile phone by a driver.
Maintain "status quo."	Do not address this issue, legislatively, administratively, or otherwise.	Given our state's increases in vehicle crashes, fatalities, and auto insurance premiums, this would not be the best solution for the safety and well-being of Georgia drivers.

Acknowledgements

The committee would like to thank the individuals, groups, and agencies for their invaluable cooperation and information used to conduct this study.

Paper copies of all materials provided the committee for their consideration have been kept and filed by Craig Foster of the House Budget and Research Office, 404-656-7881, Craig.Foster@house.ga.gov.

Appendices

Study Committee Meeting Agendas

House Distracted Driving Study Committee
August 28th, 2017, 9:30am
Coverdell Legislative Office Building, Room 606

9:30 – 10:45	Dr. Robert Hartwig, PhD Clinical Associate Professor, Finance Department Co-Director, Center for Risk and Uncertainty Management University of South Carolina *Columbia, South Carolina*
10:45 – 11:15	Col. Mark McDonough, Georgia State Patrol Harris Blackwood, Governor's Office of Highway Safety
11:30 – 1:00	Working Lunch • Reality Rides simulator, sponsored by AllState • Lunch provided by AllState at simulator exhibit
1:00 – 2:30	Mr. Joel Feldman, Esq. Founder of EndDD (End Distracted Driving) *Philadelphia, Pennsylvania*
2:30 - 2:40	Ms. Jennifer Smith StopDistractions.org *Chicago, Illinois*
2:40 -3:00	Closing comments

House Distracted Driving Study Committee
September 25th, 2017, 9:30am
Central Georgia Technical College
80 Cohen Walker Drive, Warner Robins, GA 31088

9:30 – 10:00	Harris Blackwood Governor's Office of Highway Safety
10:00 – 10:30	Capt. Derick Durden Office of Planning & Research, Georgia State Patrol
10:30 – 11:00	Commissioner Spencer Moore Georgia Department of Driver Services
11:00 – 11:30	Robert Dallas Former Director, Governor's Office of Highway Safety
11:30 – 11:45	Karla Riker Director – Corporate Citizenship & Sustainability, AT&T
11:45 – 1:00	Working Lunch • AT&T It Can Wait texting simulator
1:00 – 2:00	Local law enforcement, including: • Houston County Sheriff's office • Byron Police Department
2:00 – 3:00	Victims' Families, including: • Natalie Bacho • Neal Ardman • Brian Ortiz-Moreno • Jennifer Smith, StopDistractions.org
3:00	Closing comments

House Distracted Driving Study Committee
October 10th, 2017, 9:30am
Savannah International Trade & Convention Center
1 International Dr, Savannah, GA 31421

9:30 – 10:00	Andrew Heath State Traffic Engineer, Georgia Department of Transportation
10:00 – 10:15	Ann Purcell Board Member, Georgia Department of Transportation
10:15 – 10:30	Bart Gobeil Senior Director of Economic Development & Governmental Affairs Georgia Ports Authority
10:30 – 11:00	Dr. David Kidd, PhD, Senior Research Scientist Insurance Institute for Highway Safety
11:00 – 11:45	Transportation Industry representatives (invited): • Ed Crowell, Georgia Motor Trucking Association • Dave Moellering, Georgia Highway Contractors Association • John Bennett/Caila Brown, Savannah Bicycle Coalition
11:45 – 1:00	Lunch
1:00 – 2:00	Local law enforcement
2:00 – 3:00	Victims' Families
3:00	Closing comments

House Distracted Driving Study Committee

October 30th, 2017, 9:00am

Greater North Fulton Chamber of Commerce

11605 Haynes Bridge Rd, Suite 100

Alpharetta, GA 30009

9:00 – 9:45	Dr. Charles I. Wilmer, M.D., F.A.C.C., Piedmont Heart Institute; Chair, Medical Association of ATL Dr. John Harvey, MD, Trauma Surgeon David Waldrep, CAE, Executive Director, Medical Association of ATL
9:45 – 10:30	David Bayne, Director of Government Relations, DPH Lisa Dawson, Injury Prevention Program Director, DPH
10:30 – 10:45	Freda Lyon, DNP, RN, NE-BC System V.P., Emergency Services, WellStar Health System
10:45 – 11:00	Dennis Ashley, M.D., F.A.C.S., F.C.C.M. Chairman, Georgia Trauma Care Network Commission
11:00 – 11:15	Kimberly Littleton, Executive Director, GA Association of Emergency Medical Services
11:15 – 11:45	Mr. Bob Cheeley, Esq., Cheeley Law Group *(Attorney for families of 3 of the 5 GA Southern nursing students in the May 2015 crash)*
11:45 – 1:00	Working Lunch Dr. Jonathan Rupp, Ph.D., Associate Professor, Emory Department of Emergency Medicine Kenneth Bain, Program Director of Community Education, Life Changing Experiences
1:00 – 1:15	Stephanie Woodard, Solicitor General of Hall County (Representing Prosecuting Attorneys Council of Georgia)
1:15 – 1:30	Honorable Gary E. Jackson, Chief Deputy Judge, Municipal Court of Atlanta
1:30 – 2:30	Local law enforcement
2:30 – 3:30	Victims' Families
3:30	Closing comments

Georgia's Current Distraction Driving Laws

O.C.G.A. 40-6-241 (2010)

Driver to exercise due care; proper use of radios and mobile telephones allowed:

A driver shall exercise due care in operating a motor vehicle on the highways of this state and shall not engage in any actions which shall distract such driver from the safe operation of such vehicle, provided that, except as prohibited by Code Sections 40-6-241.1 and 40-6-241.2, the proper use of a radio, citizens band radio, mobile telephone, or amateur or ham radio shall not be a violation of this Code section.

O.C.G.A. 40-6-241.1 (2010)

Definitions; prohibition on certain persons operating motor vehicle while engaging in wireless communications; exceptions; penalties:

(a) As used in the Code section, the term:

> (1) "Engage in a wireless communication" means talking, writing, sending, or reading a text-based communication, or listening on a wireless telecommunications device.
>
> (2) "Wireless telecommunications device" means a cellular telephone, a text-messaging device, a personal digital assistant, a stand-alone computer, or any other substantially similar wireless device that is used to initiate or receive a wireless communication with another person. It does not include citizens band radios, citizens band radio hybrids, commercial two-way radio communication devices, subscription-based emergency communications, in-vehicle security, navigation, and remote diagnostics systems or amateur or ham radio devices.

(b) Except in a driver emergency and as provided in subsection (c) of this Code section, no person who has an instruction permit or a Class D license and is under 18 years of age shall operate a motor vehicle on any public road or highway of this state while engaging in a wireless communication using a wireless telecommunications device.

(c) The provisions of this Code section shall not apply to a person who has an instruction permit or a Class D license and is under 18 years of age who engages in a wireless communication using a wireless telecommunications device to do any of the following:

> (1) Report a traffic accident, medical emergency, or serious road hazard;
>
> (2) Report a situation in which the person believes his or her personal safety is in jeopardy;
>
> (3) Report or avert the perpetration or potential perpetration of a criminal act against the driver or another person; or
>
> (4) Engage in a wireless communication while the motor vehicle is lawfully parked.

(d)

> (1) Any conviction for a violation of the provisions of this Code section shall be punishable by a fine of $150.00. The provisions of Chapter 11 of Title 17 and any other provision of law to the contrary notwithstanding, the costs of such prosecution shall not be taxed nor shall any

additional penalty, fee, or surcharge to a fine for such offense be assessed against a person for conviction thereof. The court imposing such fine shall forward a record of the disposition of the case of unlawfully operating a motor vehicle while using a wireless telecommunications device to the Department of Driver Services.

(2) If the operator of the moving motor vehicle is involved in an accident at the time of a violation of this Code section, then the fine shall be equal to double the amount of the fine imposed in paragraph (1) of this subsection. The law enforcement officer investigating the accident shall indicate on the written accident form whether such operator was engaging in a wireless communication at the time of the accident.

(e) Each violation of this Code section shall constitute a separate offense.

O.C.G.A. 40-6-241.2 (2010)

Writing, sending, or reading text based communication while operating motor vehicle prohibited; exceptions; penalties for violation:

(a) As used in the Code section, the term "wireless telecommunications device" means a cellular telephone, a text messaging device, a personal digital assistant, a stand-alone computer, or any other substantially similar wireless device that is used to initiate or receive a wireless communication with another person. It does not include citizens band radios, citizens band radio hybrids, commercial two-way radio communication devices, subscription based emergency communications, in-vehicle security, navigation devices, and remote diagnostics systems, or amateur or ham radio devices.

(b) No person who is 18 years of age or older or who has a Class C license shall operate a motor vehicle on any public road or highway of this state while using a wireless telecommunications device to write, send, or read any text based communication, including but not limited to a text message, instant message, e-mail, or Internet data.

(c) The provisions of this Code section shall not apply to:

(1) A person reporting a traffic accident, medical emergency, fire, serious road hazard, or a situation in which the person reasonably believes a person's health or safety is in immediate jeopardy;

(2) A person reporting the perpetration or potential perpetration of a crime;

(3) A public utility employee or contractor acting within the scope of his or her employment when responding to a public utility emergency;

(4) A law enforcement officer, firefighter, emergency medical services personnel, ambulance driver, or other similarly employed public safety first responder during the performance of his or her official duties; or

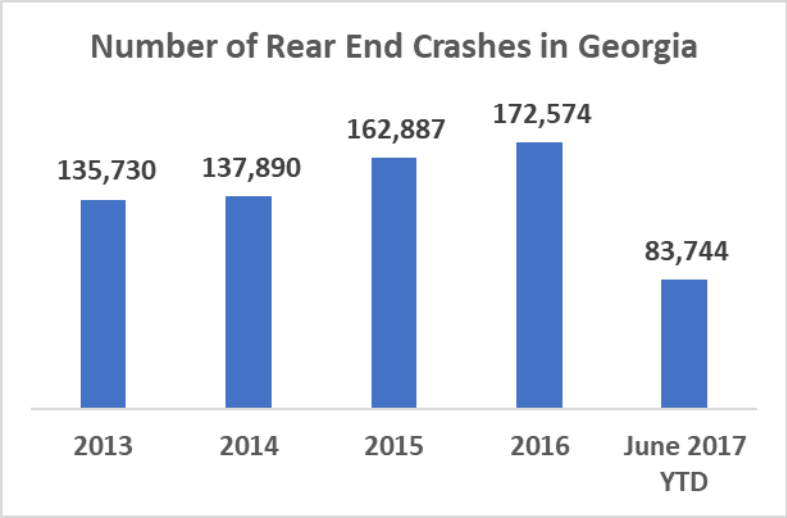
(5) A person engaging in wireless communication while in a motor vehicle which is lawfully parked.

(d) Any conviction for a violation of the provisions of this Code section shall be a misdemeanor punishable by a fine of $150.00. The provisions of Chapter 11 of Title 17 and any other provision of law to the contrary notwithstanding, the costs of such prosecution shall not be taxed nor shall any additional

penalty, fee, or surcharge to a fine for such offense be assessed against a person for conviction thereof. The court imposing such fine shall forward a record of the disposition to the Department of Driver Services. Any violation of this Code section shall constitute a separate offense.

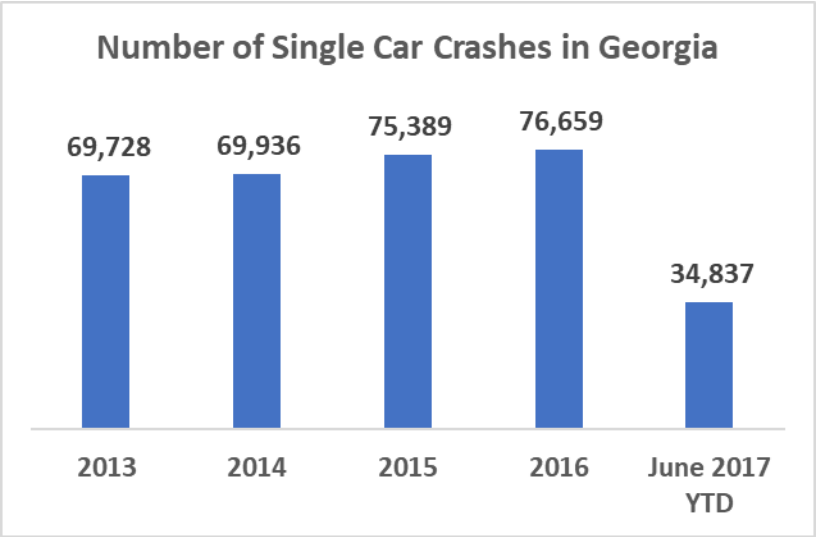
Leading Increases in Traffic Crashes by Type

Rear-End Crashes



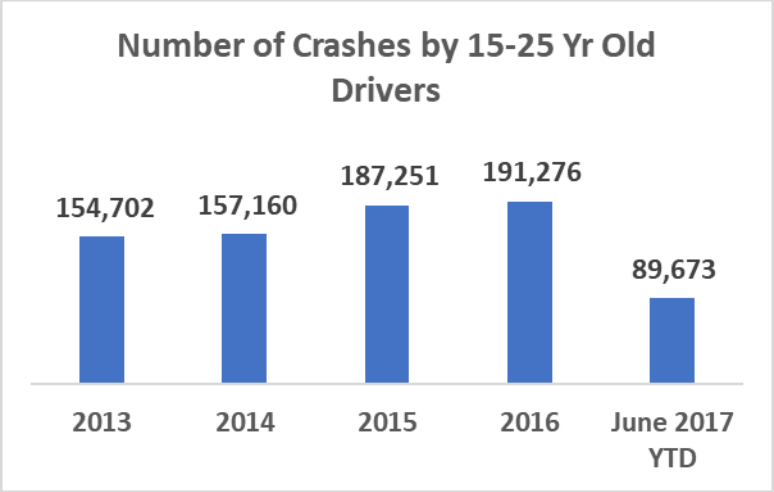
Source: Georgia Department of Public Safety

Single Car Crashes



Source: Georgia Department of Public Safety

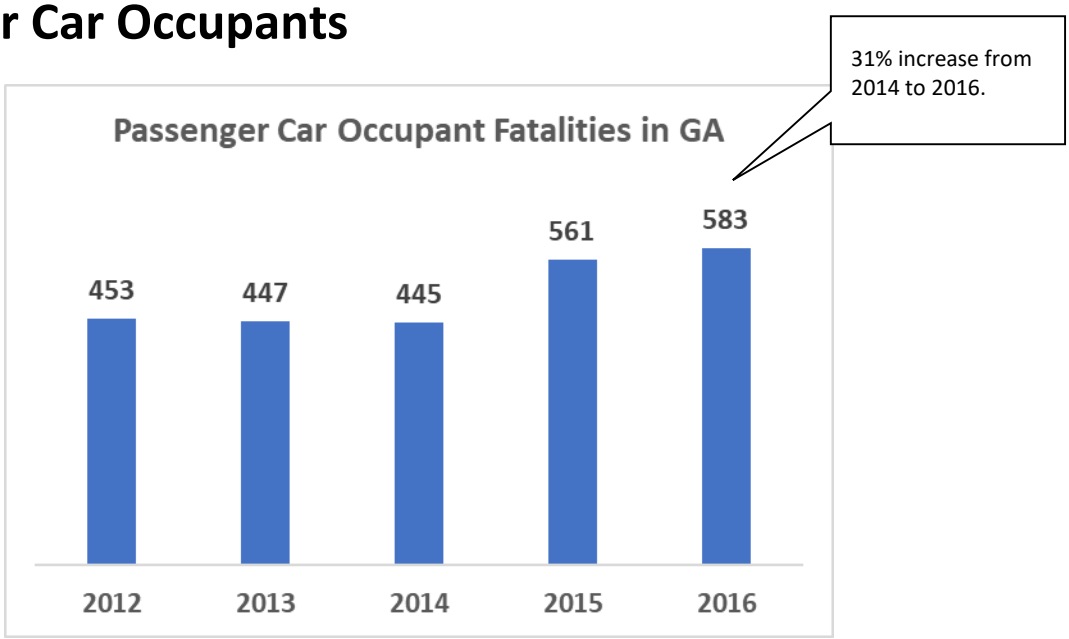
15-25-Year-Old Driver Crashes



Source: Georgia Department of Public Safety

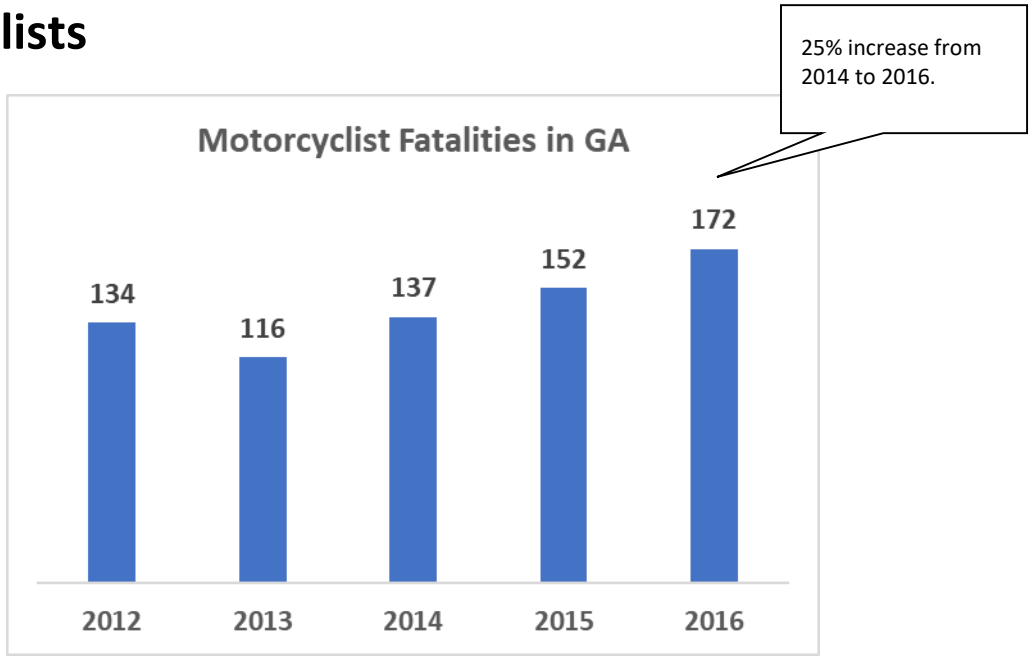
Leading Increases in Traffic Fatalities by Type

Passenger Car Occupants



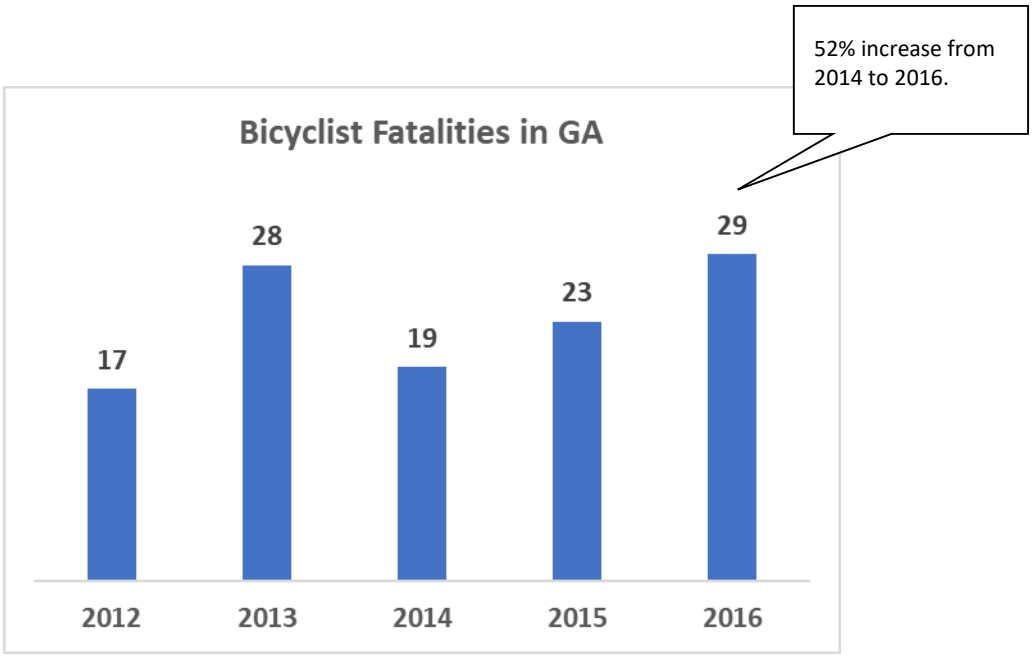
Source: National Highway Traffic Safety Administration

Motorcyclists



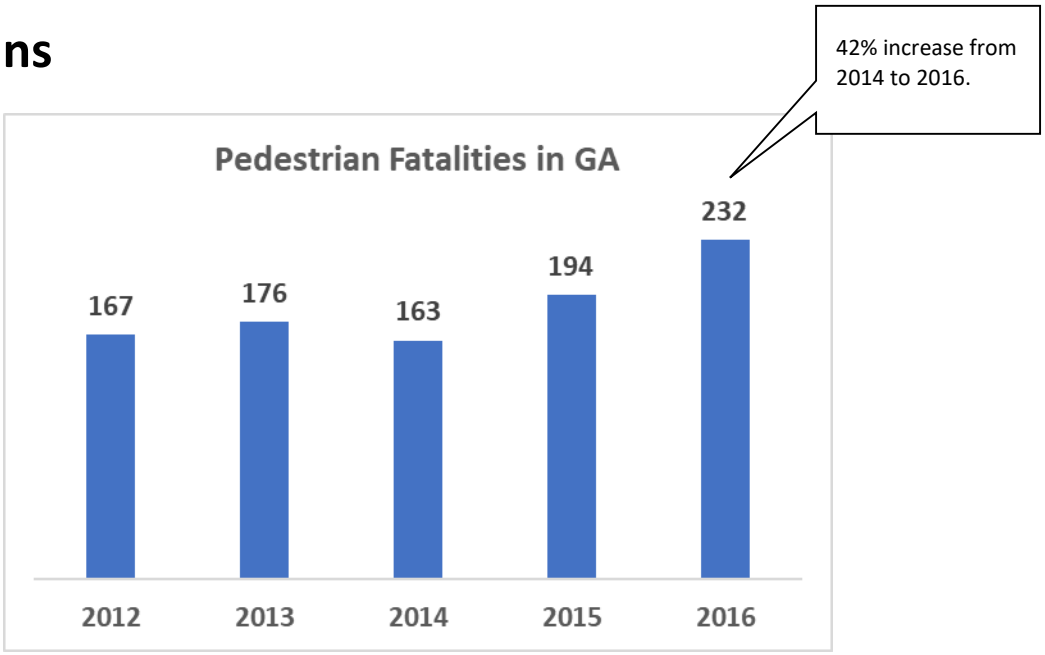
Source: National Highway Traffic Safety Administration

Bicyclists



Source: National Highway Traffic Safety Administration

Pedestrians



Source: National Highway Traffic Safety Administration

Current Crash Incident Report

(Template Used by Georgia State Patrol)

GEORGIA MOTOR VEHICLE CRASH REPORT
OVERLAY

ALCOHOL AND/OR DRUG TEST GIVEN
1-Yes
2-No
3-Refused

TEST TYPE
1-Blood
2-Breath
3-Urine
4-Other

FIRST / MOST HARMFUL EVENT
Non Collision
1-Overturn
2-Fire/Explosion
3-Immersion
4-Jackknife
5-Other Non-Collision
35-Cargo/Equipment Loss or Shift

Collision With Object Not Fixed
6-Pedestrian
7-Pedalcycle
8-Railway Train/Street Car
9-Animal
10-Parked Motor Vehicle
11-Motor Vehicle in Motion
13-Other Object (Not Fixed)
14-Deer
36-Work Zone/Maintenance Equipment

Collision With Fixed Object
15-Impact Attenuate
16-Bridge Pier/Abutment
17-Bridge Parapet End
18-Bridge Rail
19-Guardrail Face
20-Guardrail End
21-Median Barrier
22-Highway Traffic Sign Post
23-Overhead Sign Support
24-Luminaire Light Support
25-Utility Pole
26-Other Post
27-Culvert
28-Curb
29-Ditch
30-Embankment
31-Fence
32-Mailbox
33-Tree
34-Other-Fixed Object
37-Bridge Overhead Structure
38-Cable Barrier

OPERATOR/PEDESTRIAN CONDITION
1-Not Drinking
2-Unknown
4-U.I. Alcohol
5-U.I. Drugs
6-U.I. Alcohol & Drugs
7-Physical Impairment
8-Suspected Fatigued or Asleep
9-Emotional (depressed, angry, disturbed, etc.)
10-Suspected U.I. (Alcohol and/or Drugs)

OPERATOR CONTRIBUTING FACTORS
1-No Contributing Factors
2-Under the Influence (U.I.)
3-Following Too Close
4-Failed to Yield
5-Exceeding Speed Limit
6-Disregard Stop Sign/Signal
7-Wrong Side of Road
8-Improper Passing
10-Driver Lost Control
11-Changed Lanes Improperly
12-Reaction to Object or Animal
13-Improper Turn
14-Parked Improperly
17-Misjudged Clearance
18-Improper Backing
19-No Signal/Improper Signal
20-Driver Condition
22-Too Fast for Conditions
23-Improper Passing of School Bus
24-Disregard Police - Traffic Control
26-Other
28-Inattentive or Other Distraction (Distracted)
29-Texting (Distracted)
30-Talking on Hands-Free Device (Distracted)
31-Talking on Hand-Held Device (Distracted)
32-Other Activity-Mobile Device (Distracted)
33-Occupant Distraction (Distracted)
34-Other Interior Distraction (Distracted)
35-Other Exterior Distraction (Distracted)
36-Disregard Other Traffic Control
37-Reckless Driving
38-Aggressive Driving
39-Racing
40-Disregard Police - Evasion
41-Not Visible (Object, Person, or Vehicle)
42-Vision Obscured

VEHICLE CONTRIBUTING FACTORS
1-No Contributing Factors
2-Tire Failure
3-Brake Failure
4-Improper or Inoperative Lights/Signals
5-Steering Failure
6-Slick Tires
7-Other
8-Mirrors
9-Power Train
10-Suspension
11-Truck Coupling/Trailer Hitch/Safety Chains
12-Windows/Windshield
13-Wipers

ROADWAY CONTRIBUTING FACTORS
1-No Contributing Factors
2-Shoulder (none, low, soft, high)
3-Ruts, Holes, Bumps
4-Loose Material On Surface
5-Water Standing
6-Work Zone (construction/maintenance/utility)
7-Running Water
8-Other
9-Backup Due to Prior Crash/Secondary Crash
10-Traffic Congestion
11-Road Surface Condition (wet, icy, snow, slush, etc.)
12-Obstruction in Roadway
13-Visual Obstruction(s) - Other Along Roadway
14-Visual Obstruction(s) - Vegetation Along Roadway
15-Incident Response Scene

DIRECTION OF TRAVEL
1-North
2-South
3-East
4-West

VEHICLE MANEUVER
1-Turning Left
2-Turning Right
3-Making U-Turn
4-Stopped
5-Straight
6-Changing Lanes
7-Backing
8-Parked
9-Passing
10-Negotiating a Curve
11-Entering/Leaving Parking
12-Entering/Leaving Driveway
13-PIT
14-Other

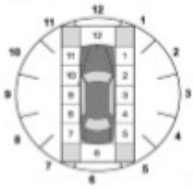
NON-MOTORIST MANEUVER
1-Crossing, Not at Crosswalk
2-Crossing at Crosswalk
3-Moving With Traffic on Roadway
4-Moving Against Traffic on Roadway
5-Pushing or Working on Vehicle
6-Other Working in Roadway
7-Playing in Roadway
8-Standing in Roadway
9-Off Roadway
10-Other
11-Darting Into Traffic
12-Entering/Exiting Bus
13-Entering/Exiting Parked or Standing Vehicle

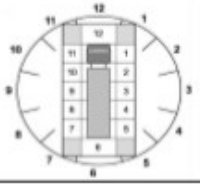
VEHICLE CLASS
1-Privately Owned
2-Police
3-Fire
4-School
5-Other Govt. Owned
6-Military
7-Commercial Motor Vehicle (CMV)
8-Other
9-Non-Transport Emergency Services Vehicle/HERO
10-Passenger Service Vehicle (Taxi)

VEHICLE TYPE
1-Passenger Car
2-Pickup Truck
3-Truck Tractor (Bobtail)
4-Tractor/Trailer
5-Tractor W/Twin Trailers
6-Logging Truck
7-Logging Tractor/Trailer
8-Single Unit Truck
9-Panel Truck
10-Van
11-Sports Utility Vehicle (SUV)
12-Vehicle With Trailer
13-Bus
14-Truck Towing House Trailer
15-Ambulance
16-Motorized Recreational Vehicle
17-Motorcycle
18-Moped, Scooter, or Minibike
19-Pedalcycle or Bicycle
20-Farm or Construction Equip.
21-All Terrain Vehicle (ATV)
22-Other
23-Golf Cart or Go Cart

VISION OBSCURED BY
1-Not Obscured
2-Headlights
3-Sunlight/Glare
4-Parked/Stopped Vehicle
5-Trees, Bushes
6-Rain, Snow, Ice on Windshield
7-Other

AREA OF INITIAL CONTACT
00-Overturned
13-Top
14-Undercarriage
15-Non-Contact Vehicle
16-Not Applicable - Pedestrian





DAMAGE TO VEHICLE

1-No Damage
2-Minor Damage
3-Functional Damage
4-Disabling Damage

TRAFFIC-WAY FLOW

1-Two-way Traffic-way With No Physical Separation
2-Two-way Traffic-way With a Physical Separation
3-Two-way Traffic-way With a Physical Barrier
4-One-way Traffic-way
5-Continuous Turning Lane

ROAD COMPOSITION

1-Concrete
2-Black Top
3-Tar and Gravel
4-Dirt
5-Gravel
6-Other

ROAD CHARACTER

1-Straight and Level
2-Straight on Grade
3-Straight on Hillcrest
4-Curve and Level
5-Curve on Grade
6-Curve on Hillcrest

WORK ZONE

0-None
1-Construction
2-Maintenance
3-Utility
4-Unknown Type

TRAFFIC CONTROL

0-Gate
1-No Control Present
2-Traffic Signal
3-RR Signal/Sign
4-Warning Sign
5-Stop Sign
6-No Passing Zone
7-Lanes
8-Other
9-Flashing Lights
10-Yield Sign

CARGO BODY TYPE

1-Van (Enclt. Box)
2-Auto Carrier or Tow Truck
3-Bus
4-Dump
5-Garbage/Refuse
6-Flatbed
7-Cargo Tanker
8-Concrete Mixer
9-Other
10-Hopper
11-Intermodal Container Chassis
12-Pole-Trailer

VEHICLE CONFIGURATION

1-Bus (Seating for More Than 15 Passengers)
2-Single Unit Truck: 2 Axles
3-Single Unit Truck: 3 or More Axles
4-Truck Trailer
5-Truck Tractor (Bobtail)
6-Tractor Trailer
7-Tractor With Twin Trailers
8-Unknown Heavy Truck (Cannot Classify)
9-Bus/Large Van (seats for 9-15 occupants, including driver)
10-Vehicle 10,000 Pounds or Less Placarded for Hazardous Materials

PAGE 2 ATTRIBUTES (PHADD)

MANNER OF COLLISION

1-Angle
2-Head On
3-Rear End
4-Sideswipe - Same Direction
5-Sideswipe - Opposite Direction
6-Not a Collision With a Motor Vehicle

LOCATION AT AREA OF IMPACT

1-On Roadway - Non-Intersection
2-On Shoulder
3-Off Roadway
4-Median
5-Entrance/Exit Ramp
6-Gore
7-On Roadway - Roadway Intersection
8-On Roadway - Roundabout
9-On Roadway - Driveway Intersection
10-On Roadway - Railroad Crossing
11-On Roadway - Managed Lane (HOV, HOT, Reversible)
12-On Roadway - Collector Distributor (CD)
13-On Roadway - Bicycle Lane
14-On Roadway - In Crosswalk
15-Off Roadway - Sidewalk
16-Private Property

WEATHER

1-Clear
2-Cloudy
3-Rain
4-Snow
5-Sleet
6-Fog
7-Other
8-Severe Thunderstorm or Tornadic

SURFACE CONDITION

1-Dry
2-Wet
3-Snow
4-Ice/Frost
5-Other
6-Mud
7-Sand
8-Slush
9-Oil
10-Water (standing or moving)

LIGHT CONDITION

1-Daylight
2-Dusk
3-Dawn
4-Dark - Lighted
5-Dark - Not Lighted

AGE

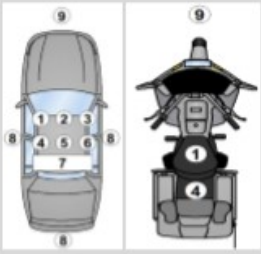
00-Up to One Year
01 to 97-Actual Age
98-Ninety-eight years old or Older
99-Unknown

SEX

M-Male F-Female

SEATING POSITION

1-Front Seat - Left Side (Operator)
2-Front Seat - Middle
3-Front Seat - Right Side
4-Rear Seat - Left Side
5-Rear Seat - Middle
6-Rear Seat - Right Side
7-Other Seat - Interior
8-Riding on Vehicle Exterior
9-Non-Motorist - Outside of a Vehicle



SAFETY EQUIPMENT

0-None Used
1-Shoulder Belt Only Used
2-Lap Belt Only Used
3-Lap and Shoulder Belt Used
4-Child Restraint System (Properly Used)
5-Child Restraint System (Improperly Used)
6-Motorcycle Helmet
7-Bicycle Helmet
8-Unknown
9-Booster Seat (Properly Used)
10-Booster Seat (Improperly Used)
11-Non-Motorist Lighting
12-Reflective Clothing/Backpack/Equipment

EJECTION

1-Not Ejected
2-Trapped
3-Totally Ejected
4-Partially Ejected
5-Not Applicable

EXTRICATION (Equipment Used)

1-Yes
2-No

AIR BAG FUNCTION

0-No Air Bag in the Seat
1-Deployed Air Bag
2-Non-Deployed Air Bag
3-Deployed Side
4-Deployed other Directions
5-Deployed Multiple Directions
6-Non-Deployed Front
7-Non-Deployed Side
8-Non-Deployed Other Direction
9-Non-Deployed Multiple Directions
10-Deployed Curtain

INJURY

0-No Apparent Injury (O)
1-Fatal Injury (K)
2-Suspected Serious Injury (A)
3-Suspected Minor or Visible Injury (B)
4-Possible Injury or Complaint (C)

TAKEN FOR TREATMENT

1-Yes
2-No

Revised Crash Incident Report

(New Template to be Used by Georgia State Patrol – Note New Boxes for Distracted Driving Reporting)

Agency Case Number	Agency NCIC Number	GEORGIA MOTOR VEHICLE CRASH REPORT	County	Date Rec. by GDOT

Estimated Crash Date	Estimated Crash Time	Dispatch Date	Dispatch Time	Arrival Date	Arrival Time	Total Number of Vehicles	Total Number of Injuries	Total Number of Fatalities	Inside City Of

Road of Occurrence _____ At Its Intersection With _____

Not At Its Intersection But _____ ☐ Miles ☐ Feet ☐ North ☐ South ☐ East ☐ West Of _____

Latitude (Y) (Format) 00.00000 _____ Longitude (X) (Format) -00.00000 _____

☐ Corrected Report
☐ Sup To Original
☐ Hit and Run

Unit #	☐Driver ☐Ped ☐Bike	LAST NAME	FIRST	MIDDLE	Unit #	☐Driver ☐Ped ☐Bike	LAST NAME	FIRST	MIDDLE
☐ Susp At Fault		Address			☐ Susp At Fault		Address		
City	State	Zip	DOB		City	State	Zip	DOB	
Driver's License No.	Class	State	Country		Driver's License No.	Class	State	Country	
Insurance Co.	Policy No.	Telephone No.			Insurance Co.	Policy No.	Telephone No.		
Year	Make	Model			Year	Make	Model		
VIN	Vehicle Color				VIN	Vehicle Color			
Tag #	State	County	Year		Tag #	State	County	Year	
Trailer Tag #	State	County	Year		Trailer Tag #	State	County	Year	
☐ Same as Driver	Owner's Last Name	First	Middle		☐ Same as Driver	Owner's Last Name	First	Middle	
Address					Address				
City	State	Zip			City	State	Zip		
Removed By:			☐ Request ☐ List		Removed By:			☐ Request ☐ List	

Alco Test:	Type:	Results:	Drug Test:	Type:	Results:	Alco Test:	Type:	Results:	Drug Test:	Type:	Results:

First Harmful Event:	Most Harmful Event:	Operator/Ped Cond:	First Harmful Event:	Most Harmful Event:	Operator/Ped Cond:
Operator Contributing Factors: ____ ____ ____ ____			Operator Contributing Factors: ____ ____ ____ ____		
Vehicle Contributing Factors:	Roadway Contributing Factors:		Vehicle Contributing Factors:	Roadway Contributing Factors:	
Direction of Travel:	Vehicle Maneuver:	Non-Motor Maneuver:	Direction of Travel:	Vehicle Maneuver:	Non-Motor Maneuver:
Vehicle Class:	Vehicle Type:	Vision Obscured:	Vehicle Class:	Vehicle Type:	Vision Obscured:
Number of Occupants:	Area of Initial Contact:	Damage to Veh:	Number of Occupants:	Area of Initial Contact:	Damage to Veh:
Traffic-Way Flow:	Road Comp:	Road Character:	Traffic-Way Flow:	Road Comp:	Road Character:
Number of Lanes:	Posted Speed:	Work Zone:	Number of Lanes:	Posted Speed:	Work Zone:
Traffic Control:	Device Inoperative: ☐ Yes ☐ No		Traffic Control:	Device Inoperative: ☐ Yes ☐ No	

Citation Information:
Citation # _____ O.C.G.A. § _____
Citation # _____ O.C.G.A. § _____
Citation # _____ O.C.G.A. § _____

Citation Information:
Citation # _____ O.C.G.A. § _____
Citation # _____ O.C.G.A. § _____
Citation # _____ O.C.G.A. § _____

COMMERCIAL MOTOR VEHICLES ONLY

Carrier Name:				Carrier Name:			
Address	City	State	Zip	Address	City	State	Zip
U.S. D.O.T. #	No. of Axles	G.V.W.R.		U.S. D.O.T. #	No. of Axles	G.V.W.R.	
Cargo Body Type	Vehicle Config.	☐ Interstate ☐ Intrastate	Fed. Reportable ☐ Yes ☐ No	Cargo Body Type	Vehicle Config.	☐ Interstate ☐ Intrastate	Fed. Reportable ☐ Yes ☐ No
C.D.L.? ☐ Yes ☐ No	C.D.L. Suspended? ☐ Yes ☐ No			C.D.L.? ☐ Yes ☐ No	C.D.L. Suspended? ☐ Yes ☐ No		
Vehicle Placarded? ☐ Yes ☐ No	Hazardous Materials? ☐ Yes ☐ No			Vehicle Placarded? ☐ Yes ☐ No	Hazardous Materials? ☐ Yes ☐ No		
Haz Mat Released? ☐ Yes ☐ No				Haz Mat Released? ☐ Yes ☐ No			
If YES: Name or four Digit Number from Diamond or Box: _____				If YES: Name or four Digit Number from Diamond or Box: _____			
One Digit Number from Bottom of Diamond: _____				One Digit Number from Bottom of Diamond: _____			
☐ Ran Off Road ☐ Down Hill Runaway ☐ Cargo Loss or Shift ☐ Separation of Units				☐ Ran Off Road ☐ Down Hill Runaway ☐ Cargo Loss or Shift ☐ Separation of Units			

COLLISION FIELDS

Manner of Collision:	Location at Area of Impact:	Weather:	Surface Condition:	Light Condition:

NARRATIVE

DIAGRAM

INDICATE NORTH

PROPERTY DAMAGE INFORMATION

Damage Other Than Vehicle:	Owner:

WITNESS INFORMATION

Name (Last, First)	Address	City	State	Zip Code	Telephone Number

OCCUPANT INFORMATION

1	Name (Last, First):					Address:				
	Age:	Sex:	Unit #	Position:	Safety Eq:	Ejected:	Extricated:	Air Bag:	Injury:	Taken for Treatment:
	Injured Taken To:		By:		EMS Notified Time (Fatality Only):		EMS Arrival Time (Fatality Only):		Hospital Arrival Time (Fatality Only):	
2	Name (Last, First):					Address:				
	Age:	Sex:	Unit #	Position:	Safety Eq:	Ejected:	Extricated:	Air Bag:	Injury:	Taken for Treatment:
	Injured Taken To:		By:		EMS Notified Time (Fatality Only):		EMS Arrival Time (Fatality Only):		Hospital Arrival Time (Fatality Only):	
3	Name (Last, First):					Address:				
	Age:	Sex:	Unit #	Position:	Safety Eq:	Ejected:	Extricated:	Air Bag:	Injury:	Taken for Treatment:
	Injured Taken To:		By:		EMS Notified Time (Fatality Only):		EMS Arrival Time (Fatality Only):		Hospital Arrival Time (Fatality Only):	
4	Name (Last, First):					Address:				
	Age:	Sex:	Unit #	Position:	Safety Eq:	Ejected:	Extricated:	Air Bag:	Injury:	Taken for Treatment:
	Injured Taken To:		By:		EMS Notified Time (Fatality Only):		EMS Arrival Time (Fatality Only):		Hospital Arrival Time (Fatality Only):	

ADMINISTRATIVE

Photos Taken: ☐ **Yes** ☐ **No** **By:**

Officer Note: If collision resulted in a fatality, please send prompt notification to the GDOT Crash Reporting Unit via either email at GeorgiaFARS@dot.ga.gov or Fax at (404) 635-2963.

Report By:	Agency:	Report Date:	Checked By:	Date Checked:

SUPPLEMENT
GEORGIA MOTOR VEHICLE CRASH REPORT

Agency Case Number:	Estimated Crash Date:	Officer Name:

NARRATIVE CONTINUED

ADDITIONAL CITATION INFORMATION

Unit # ____:		Unit # ____:	
Citation # _____	O.C.G.A. § _____	Citation # _____	O.C.G.A. § _____
Citation # _____	O.C.G.A. § _____	Citation # _____	O.C.G.A. § _____
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Citation # _____	O.C.G.A. § _____	Citation # _____	O.C.G.A. § _____

ADDITIONAL OCCUPANT INFORMATION

Name (Last, First):					Address:				
Age:	Sex:	Unit #	Position:	Safety Eq:	Ejected:	Extricated:	Air Bag:	Injury:	Taken for Treatment:
Injured Taken To:		By:		EMS Notified Time (Fatality Only):		EMS Arrival Time (Fatality Only):		Hospital Arrival Time (Fatality Only):	

Name (Last, First):					Address:				
Age:	Sex:	Unit #	Position:	Safety Eq:	Ejected:	Extricated:	Air Bag:	Injury:	Taken for Treatment:
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Name (Last, First):					Address:				
Age:	Sex:	Unit #	Position:	Safety Eq:	Ejected:	Extricated:	Air Bag:	Injury:	Taken for Treatment:
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Name (Last, First):					Address:				
Age:	Sex:	Unit #	Position:	Safety Eq:	Ejected:	Extricated:	Air Bag:	Injury:	Taken for Treatment:
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Name (Last, First):					Address:				
Age:	Sex:	Unit #	Position:	Safety Eq:	Ejected:	Extricated:	Air Bag:	Injury:	Taken for Treatment:
Injured Taken To:		By:		EMS Notified Time (Fatality Only):		EMS Arrival Time (Fatality Only):		Hospital Arrival Time (Fatality Only):	

ADDITIONAL or FULL PAGE DIAGRAM

GEORGIA MOTOR VEHICLE CRASH REPORT
OVERLAY

ALCOHOL AND/OR DRUG TEST GIVEN
1-Yes
2-No
3-Refused

TEST TYPE
1-Blood
2-Breath
3-Urine
4-Other

FIRST / MOST HARMFUL EVENT
Non Collision
1-Overturn
2-Fire/Explosion
3-Immersion
4-Jackknife
5-Other Non-Collision
35-Cargo/Equipment Loss or Shift
Collision With Object Not Fixed
6-Pedestrian
7-Pedalcycle
8-Railway Train/Street Car
9-Animal
10-Parked Motor Vehicle
11-Motor Vehicle in Motion
13-Other Object (Not Fixed)
14-Deer
36-Work Zone/Maintenance Equipment
Collision With Fixed Object
15-Impact Attenuate
16-Bridge Pier/Abutment
17-Bridge Parapet End
18-Bridge Rail
19-Guardrail Face
20-Guardrail End
21-Median Barrier
22-Highway Traffic Sign Post
23-Overhead Sign Support
24-Luminaire Light Support
25-Utility Pole
26-Other Post
27-Culvert
28-Curb
29-Ditch
30-Embankment
31-Fence
32-Mailbox
33-Tree
34-Other-Fixed Object
37-Bridge Overhead Structure
38-Cable Barrier

OPERATOR/PEDESTRIAN CONDITION
1-Not Drinking
2-Unknown
4-U.I. Alcohol
5-U.I. Drugs
6-U.I. Alcohol & Drugs
7-Physical Impairment
8-Suspected Fatigued or Asleep
9-Emotional (depressed, angry, disturbed, etc.)
10-Suspected U.I. (Alcohol and/or Drugs)

OPERATOR CONTRIBUTING FACTORS
1-No Contributing Factors
2-Under the Influence (U.I.)
3-Following Too Close
4-Failed to Yield
5-Exceeding Speed Limit
6-Disregard Stop Sign/Signal
7-Wrong Side of Road
9-Improper Passing
10-Driver Lost Control
11-Changed Lanes Improperly
12-Reaction to Object or Animal
13-Improper Turn
14-Parked Improperly
17-Misjudged Clearance
18-Improper Backing
19-No Signal/Improper Signal
20-Driver Condition
22-Too Fast for Conditions
23-Improper Passing of School Bus
24-Disregard Police - Traffic Control
26-Other
28-Inattentive or Other Distraction (Distracted)
29-Texting (Distracted)
30-Talking on Hands-Free Device (Distracted)
31-Talking on Hand-Held Device (Distracted)
32-Other Activity-Mobile Device (Distracted)
33-Occupant Distraction (Distracted)
34-Other Interior Distraction (Distracted)
35-Other Exterior Distraction (Distracted)
36-Disregard Other Traffic Control
37-Reckless Driving
38-Aggressive Driving
39-Racing
40-Disregard Police - Evasion
41-Not Visible (Object, Person, or Vehicle)
42-Vision Obscured

VEHICLE CONTRIBUTING FACTORS
1-No Contributing Factors
2-Tire Failure
3-Brake Failure
4-Improper or Inoperative Lights/Signals
5-Steering Failure
6-Slick Tires
7-Other
8-Mirrors
9-Power Train
10-Suspension
11-Truck Coupling/Trailer Hitch/Safety Chains
12-Windows/Windshield
13-Wipers

ROADWAY CONTRIBUTING FACTORS
1-No Contributing Factors
2-Shoulder (none, low, soft, high)
3-Ruts, Holes, Bumps
4-Loose Material On Surface
5-Water Standing
6-Work Zone (construction/maintenance/utility)
7-Running Water
8-Other
9-Backup Due to Prior Crash/Secondary Crash
10-Traffic Congestion
11-Road Surface Condition (wet, icy, snow, slush, etc.)
12-Obstruction in Roadway
13-Visual Obstruction(s) - Other Along Roadway
14-Visual Obstruction(s) - Vegetation Along Roadway
15-Incident Response Scene

DIRECTION OF TRAVEL
1-North
2-South
3-East
4-West

VEHICLE MANEUVER
1-Turning Left
2-Turning Right
3-Making U-Turn
4-Stopped
5-Straight
6-Changing Lanes
7-Backing
8-Parked
9-Passing
10-Negotiating a Curve
11-Entering/Leaving Parking
12-Entering/Leaving Driveway
13-PIT
14-Other

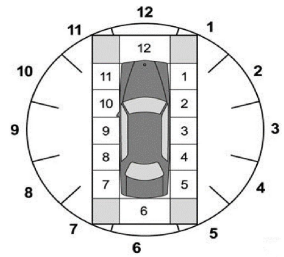
NON-MOTORIST MANEUVER
1-Crossing, Not at Crosswalk
2-Crossing at Crosswalk
3-Moving With Traffic on Roadway
4-Moving Against Traffic on Roadway
5-Pushing or Working on Vehicle
6-Other Working in Roadway
7-Playing in Roadway
8-Standing in Roadway
9-Off Roadway
10-Other
11-Darting Into Traffic
12-Entering/Exiting Bus
13-Entering/Exiting Parked or Standing Vehicle

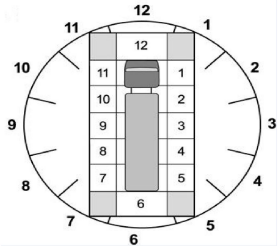
VEHICLE CLASS
1-Privately Owned
2-Police
3-Fire
4-School
5-Other Govt. Owned
6-Military
7-Commercial Motor Vehicle (CMV)
8-Other
9-Non-Transport Emergency Services Vehicle/HERO
10-Passenger Service Vehicle (Taxi)

VEHICLE TYPE
1-Passenger Car
2-Pickup Truck
3-Truck Tractor (Bobtail)
4-Tractor/Trailer
5-Tractor W/Twin Trailers
6-Logging Truck
7-Logging Tractor/Trailer
8-Single Unit Truck
9-Panel Truck
10-Van
11-Sports Utility Vehicle (SUV)
12-Vehicle With Trailer
13-Bus
14-Truck Towing House Trailer
15-Ambulance
16-Motorized Recreational Vehicle
17-Motorcycle
18-Moded, Scooter, or Minibike
19-Pedalcycle or Bicycle
20-Farm or Construction Equip.
21-All Terrain Vehicle (ATV)
22-Other
23-Golf Cart or Go Cart

VISION OBSCURED BY
1-Not Obscured
2-Headlights
3-Sunlight/Glare
4-Parked/Stopped Vehicle
5-Trees, Bushes
6-Rain, Snow, Ice on Windshield
7-Other

AREA OF INITIAL CONTACT
00-Overturned
13-Top
14-Undercarriage
15-Non-Contact Vehicle
16-Not Applicable - Pedestrian





DAMAGE TO VEHICLE
1-No Damage
2-Minor Damage
3-Functional Damage
4-Disabling Damage

TRAFFIC-WAY FLOW
1-Two-way Traffic-way With No Physical Separation
2-Two-way Traffic-way With a Physical Separation
3-Two-way Traffic-way With a Physical Barrier
4-One-way Traffic-way
5-Continous Turning Lane

ROAD COMPOSITION
1-Concrete
2-Black Top
3-Tar and Gravel
4-Dirt
5-Gravel
6-Other

ROAD CHARACTER
1-Straight and Level
2-Straight on Grade
3-Straight on Hillcrest
4-Curve and Level
5-Curve on Grade
6-Curve on Hillcrest

WORK ZONE
0-None
1-Construction
2-Maintenance
3-Utility
4-Unknown Type

TRAFFIC CONTROL
0-Gate
1-No Control Present
2-Traffic Signal
3-RR Signal/Sign
4-Warning Sign
5-Stop Sign
6-No Passing Zone
7-Lanes
8-Other
9-Flashing Lights
10-Yield Sign

CARGO BODY TYPE
1-Van (Encl. Box)
2-Auto Carrier or Tow Truck
3-Bus
4-Dump
5-Garbage/Refuse
6-Flatbed
7-Cargo Tanker
8-Concrete Mixer
9-Other
10-Hopper
11-Intermodal Container Chassis
12-Pole-Trailer

VEHICLE CONFIGURATION
1-Bus (Seating for More Than 15 Passengers)
2-Single Unit Truck: 2 Axles
3-Single Unit Truck: 3 or More Axles
4-Truck Trailer
5-Truck Tractor (Bobtail)
6-Tractor With Twin Trailers
7-Unknown Heavy Truck (Cannot Classify)
8-Bus/Large Van (seats for 9-15 occupants, including driver)
9-Vehicle 10,000 Pounds or Less Placarded for Hazardous Materials

PAGE 2 ATTRIBUTES *(SHADED)*
MANNER OF COLLISION
1-Angle
2-Head On
3-Rear End
4-Sideswipe - Same Direction
5-Sideswipe - Opposite Direction
6-Not a Collision With a Motor Vehicle

LOCATION AT AREA OF IMPACT
1-On Roadway - Non-Intersection
2-On Shoulder
3-Off Roadway
4-Median
5-Entrance/Exit Ramp
6-Gore
7-On Roadway - Roadway Intersection
8-On Roadway - Roundabout
9-On Roadway - Driveway Intersection
10-On Roadway - Railroad Crossing
11-On Roadway - Managed Lane (HOV, HOT, Reversible)
12-On Roadway - Collector Distributor (CD)
13-On Roadway - Bicycle Lane
14-On Roadway - In Crosswalk
15-Off Roadway - Sidewalk
16-Private Property

WEATHER
1-Clear
2-Cloudy
3-Rain
4-Snow
5-Sleet
6-Fog
7-Other
8-Severe Thunderstorm or Tornadic

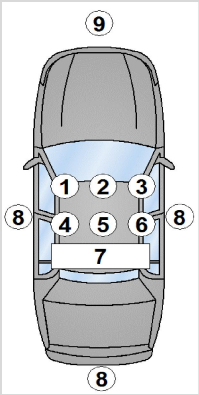
SURFACE CONDITION
1-Dry
2-Wet
3-Snow
4-Ice/Frost
5-Other
6-Mud
7-Sand
8-Slush
9-Oil
10-Water (standing or moving)

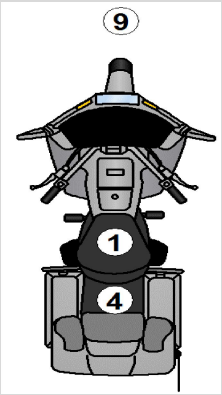
LIGHT CONDITION
1-Daylight
2-Dusk
3-Dawn
4-Dark - Lighted
5-Dark - Not Lighted

AGE
00-Up to One Year
01 to 97-Actual Age
98-Ninety-eight years old or Older
99-Unknown

SEX	
M-Male	F-Female

SEATING POSITION
1-Front Seat - Left Side (Operator)
2-Front Seat - Middle
3-Front Seat - Right Side
4-Rear Seat - Left Side
5-Rear Seat - Middle
6-Rear Seat - Right Side
7-Other Seat - Interior
8-Riding on Vehicle Exterior
9-Non-Motorist - Outside of a Vehicle





SAFETY EQUIPMENT
0-None Used
1-Shoulder Belt Only Used
2-Lap Belt Only Used
3-Lap and Shoulder Belt Used
4-Child Restraint System (Properly Used)
5-Child Restraint System (Improperly Used)
6-Motorcycle Helmet
7-Bicycle Helmet
8-Unknown
9-Booster Seat (Properly Used)
10-Booster Seat (Improperly Used)
11-Non-Motorist Lighting
12-Reflective: Clothing/Backpack/Equipment

EJECTION
1-Not Ejected
2-Trapped
3-Totally Ejected
4-Partially Ejected
5-Not Applicable

EXTRICATION (Equipment Used)
1-Yes
2-No

AIR BAG FUNCTION
0-No Air Bag in this Seat
1-Deployed Air Bag
2-Non-Deployed Air Bag
3-Deployed Side
4-Deployed other Directions
5-Deployed Multiple Directions
6-Non-Deployed Front
7-Non-Deployed Side
8-Non-Deployed Other Direction
9-Non-Deployed Multiple Directions
10-Deployed Curtain

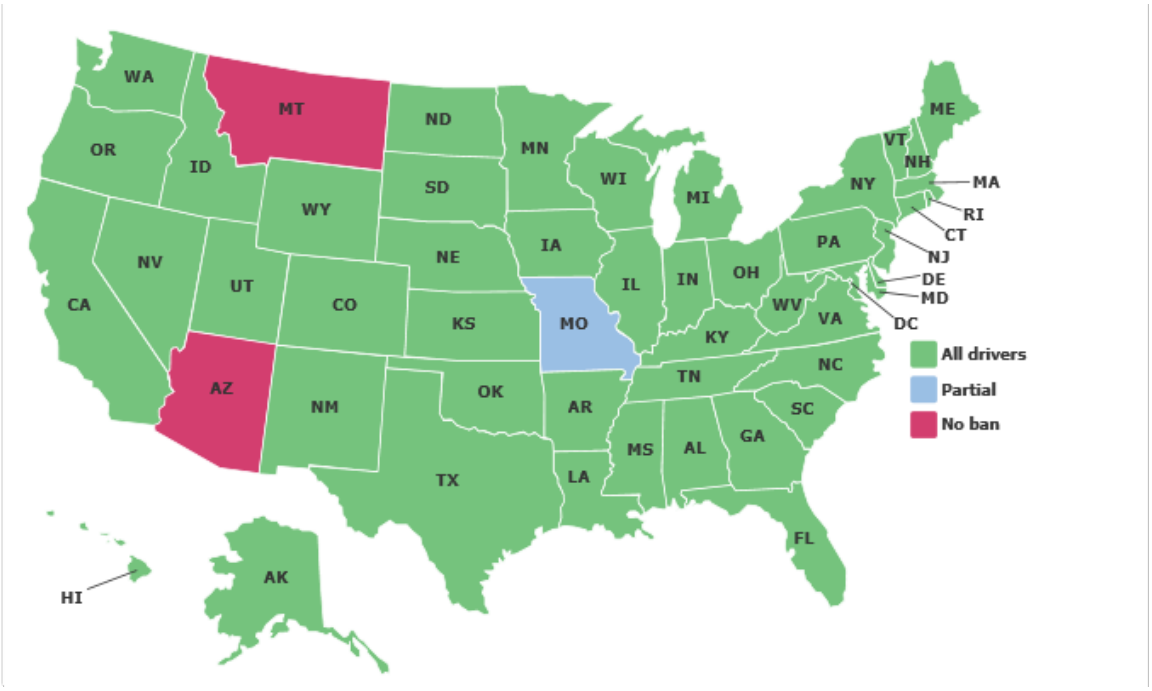
INJURY
0-No Apparent Injury (O)
1-Fatal Injury (K)
2-Suspected Serious Injury (A)
3-Suspected Minor or Visible Injury (B)
4-Possible Injury or Complaint (C)

TAKEN FOR TREATMENT
1-Yes
2-No

Maps of Distracted Driving Laws by State

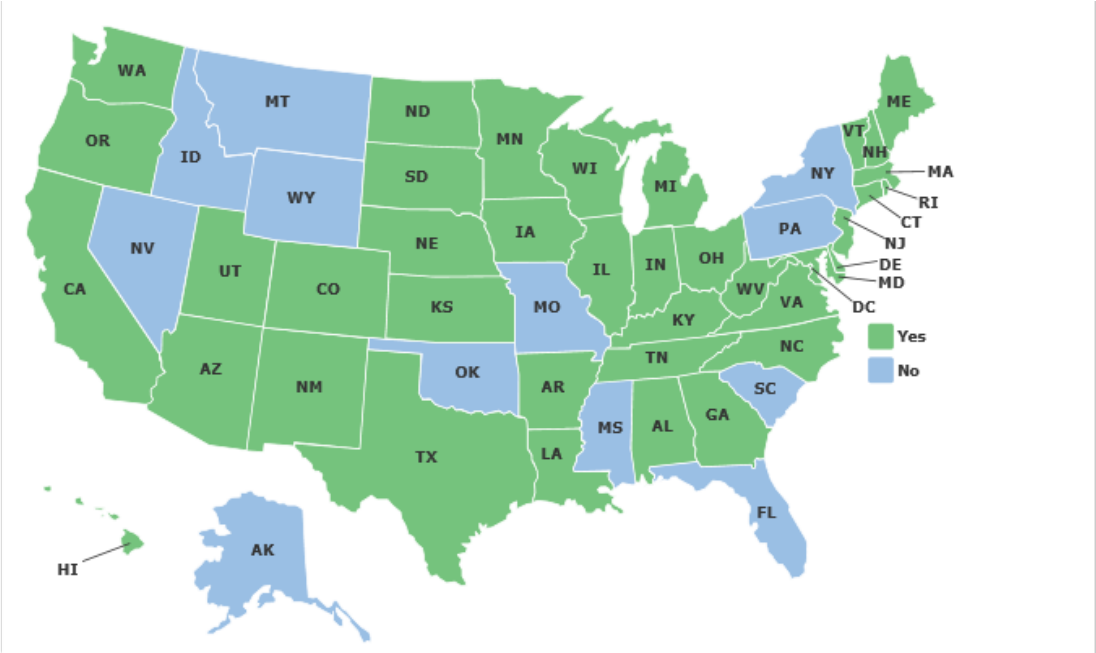
(as of December 2017)

No Texting



Source: Insurance Institute for Highway Safety

Young Driver All Cellphone Ban



Source: Insurance Institute for Highway Safety

Current Penalties for DUI Offenses

The following is a summary of post-conviction DUI non-license related penalties.

OCGA 40-6-391

Classification

- 1st or 2nd: misdemeanor
- 3rd: high and aggravated misdemeanor
- 4th or more: felony

1st DUI in 10 years

- $300-$1,000 fine
- 24 hours to 1 year of jail time
- 20-40 hours community service
- Completion of DUI Risk Reduction Course – 30-hour course; $235, plus fees for materials
- Clinical Assessment / Evaluation ($100)
- 1 year of probation (minus any jail time served)

2nd DUI in 10 years

- $600-$1,000 fine
- 72 hours to 1 year of jail time
- 30 days or more of community service
- Completion of DUI Risk Reduction Course- 30-hour course; $235, plus fees for materials
- Clinical Assessment / Evaluation ($100)
- 1 year of probation (minus any jail time served)

3rd DUI in 10 years

- $1,000-$5,000 fine
- 15 days to 1 year of jail time
- 30 days or more of community service
- Completion of DUI Risk Reduction Course – 30-hour course; $235, plus fees for materials
- Clinical Assessment / Evaluation ($100)
- 1 year of probation (minus any jail time served)

4th or more DUI in 10 years

- $1,000-$5,000 fine
- 90 days to 5 years of jail time
- 60 days or more of community service (unless person served 3 or more years in jail, then no community service required)
- Completion of DUI Risk Reduction Course – 30-hour course; $235, plus fees for materials
- Clinical Assessment / Evaluation ($100)

- 5 years of probation (minus any jail time served)

If 2nd or more DUI in 5-year period- notice published in legal organ of conviction along with photo of offender.

The following is a summary of post-conviction DUI license related penalties (*look back period for licensing is only 5 years as opposed to 10*).

OCGA 40-5-63

1st DUI in 5 years

- 12 months suspension, but early reinstatement after 120 days if:
    - Completion of DUI Risk Reduction Course – 30-hour course; $235, plus fees for materials
    - Fee to DDS of $210 or $200 (if a mail in request for reinstatement)

2nd DUI in 5 years

- 3-year suspension, but early reinstatement after 18 months if:
    - Completion of DUI Risk Reduction Course – 30-hour course; $235, plus fees for materials
    - Fee to DDS of $210 or $200 (if a mail in request for reinstatement)
    - Installation of Interlock Device for 1 year

3rd DUI in 5 years

- Considered a Habitual Violator
- 5-year suspension
    - Completion of DUI Risk Reduction Course – 30- hour course; $235, plus fees for materials
    - Fee to DDS of $410 or $400 (if a mail in request for reinstatement)
    - Completion of an investigation of driver's character, habits, and driving ability

Statistical Reductions in Fatalities among Hands-Free States

(All 15 States)

Effectiveness of Other States' Hands-Free Laws

Reduction in Fatalities per 100 mil VMT

	Year before law's passage	Year of law's passage	*Years since Hands-Free enactment* 1	2	3	4	5	6	7	8	9	10	11	12	13	14	Fatality increase/(decrease) %: From year before passage to 2 years after - (2)	Total since before law
California	1.22	1.05	0.95	0.84	0.88	0.91	0.94	0.93	0.95								**-31.1%**	**-22.1%**
Year	*2007*	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*									
Connecticut	0.93	0.88	0.98	0.92	0.95	0.71	1.02	0.71	0.84	0.92	0.80	0.84					**-1.1%**	**-9.7%**
Year	*2004*	*2005*	*2006*	*2007*	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*						
Delaware	1.28	1.13	1.10	1.24	1.06	1.29	1.27										**-3.1%**	**-0.8%**
Year	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*											
District of Columbia	1.87	1.15	1.29	1.02	1.22	0.94	0.80	0.67	0.76	0.42	0.57	0.65	0.65				**-45.5%**	**-65.2%**
Year	*2003*	*2004*	*2005*	*2006*	*2007*	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*					
Hawaii	1.24	1.01	0.93	0.91													**-26.6%**	**-26.6%**
Year	*2012*	*2013*	*2014*	*2015*														
Illinois	0.91	0.94	0.88	0.95													**4.4%**	**4.4%**
Year	*2013*	*2014*	*2015*	*2016*														
Maryland	0.99	0.88	0.86	0.9	0.82	0.78	0.89										**-13.1%**	**-10.1%**
Year	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*											
Nevada	1.16	1.02	1.08	1.08	1.15	1.25											**-6.9%**	**-0.9%**
Year	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*												
New Hampshire	*Insufficient data*																***n/a***	***n/a***
Year	*Law enacted in 2015*																	
New Jersey	1.02	0.95	0.80	0.80	0.76	0.86	0.79	0.73	0.74	0.75							**-21.6%**	**-26.5%**
Year	*2006*	*2007*	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*								
New Mexico - (3)	1.24	1.52	1.09														**-12.1%**	**-12.1%**
Year	*2013*	*2014*	*2015*															
New York	1.13	1.20	1.15	1.11	1.08	1.03	1.03	0.97	0.92	0.87	0.92	0.92	0.92	0.93	0.81	0.88	**-1.8%**	**-22.1%**
Year	*2000*	*2001*	*2002*	*2003*	*2004*	*2005*	*2006*	*2007*	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*		
Oregon	*Insufficient data*																***n/a***	***n/a***
Year	*Significantly upgraded law went into effect October 1, 2017*																	
Vermont	0.97	0.62	0.78														**-19.6%**	**-19.6%**
Year	*2013*	*2014*	*2015*															
Washington	1.12	1.00	0.94	0.87	0.80	0.80	0.77	0.76	0.80	0.95							**-22.3%**	**-15.2%**
Year	*2006*	*2007*	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*								
West Virginia	1.76	1.73	1.42	1.35													**-23.3%**	**-23.3%**
Year	*2012*	*2013*	*2014*	*2015*														
Average decreases *For states with sufficient data*																	**-16.0%**	**-17.8%**

Note (1) - Year of enactment refers to approximate year of law's passage.

Note (2) - Data for New Mexico and Vermont only available for 1 year after law's enactment.

Note (3) - New Mexico has a Local Option by Jurisdiction statute, but not technically a state-wide ban on hand-held cell phone usage.

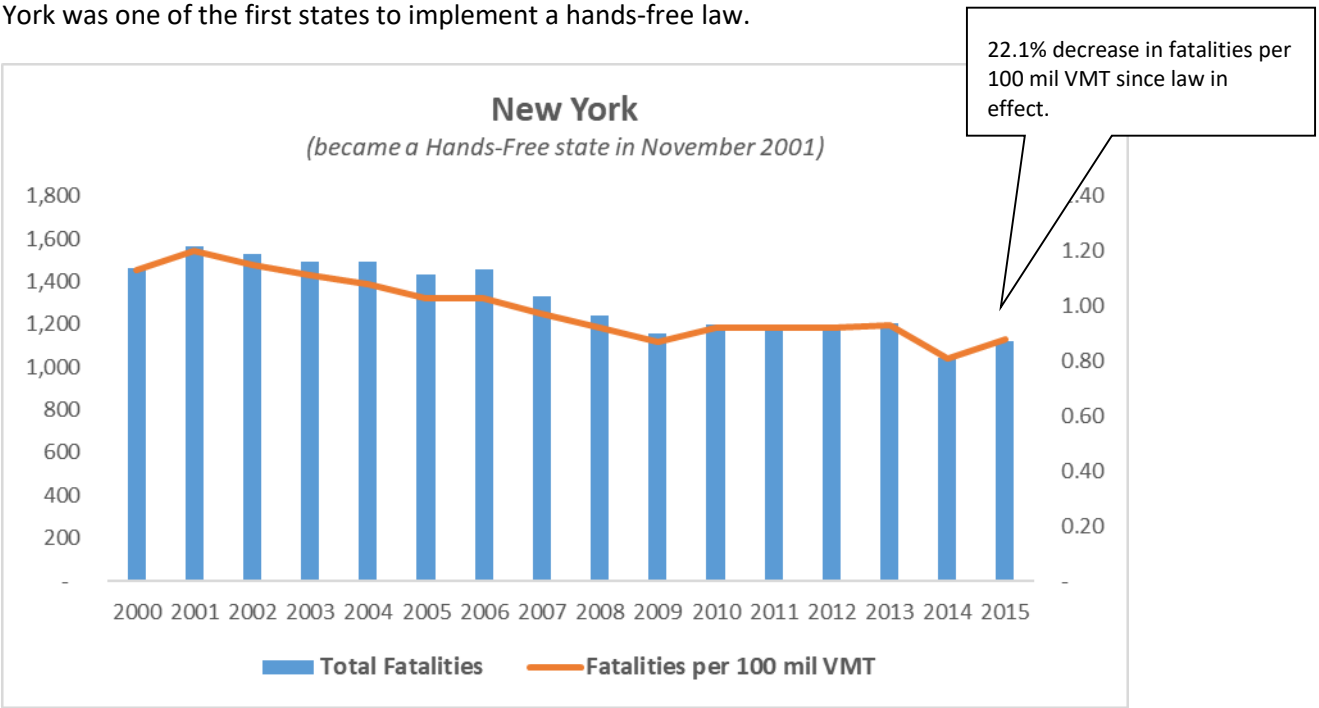
Statistical Reductions in Fatalities among Hands-Free States

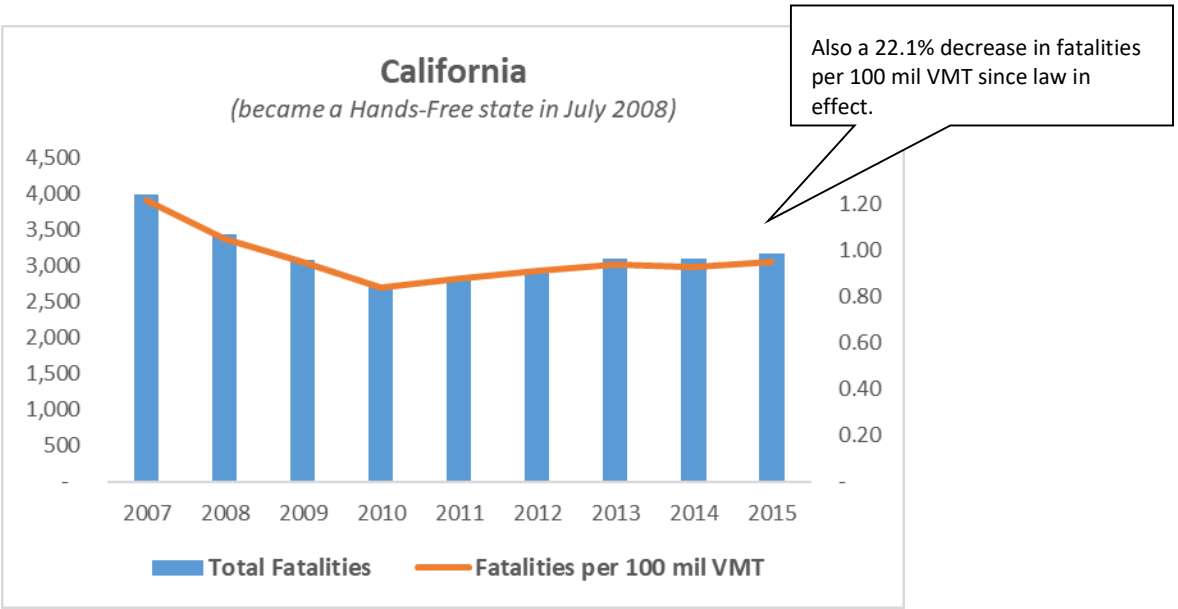
(Graphs of Example States vs. Georgia)

Statistical Reductions in Fatalities among Hands-Free States

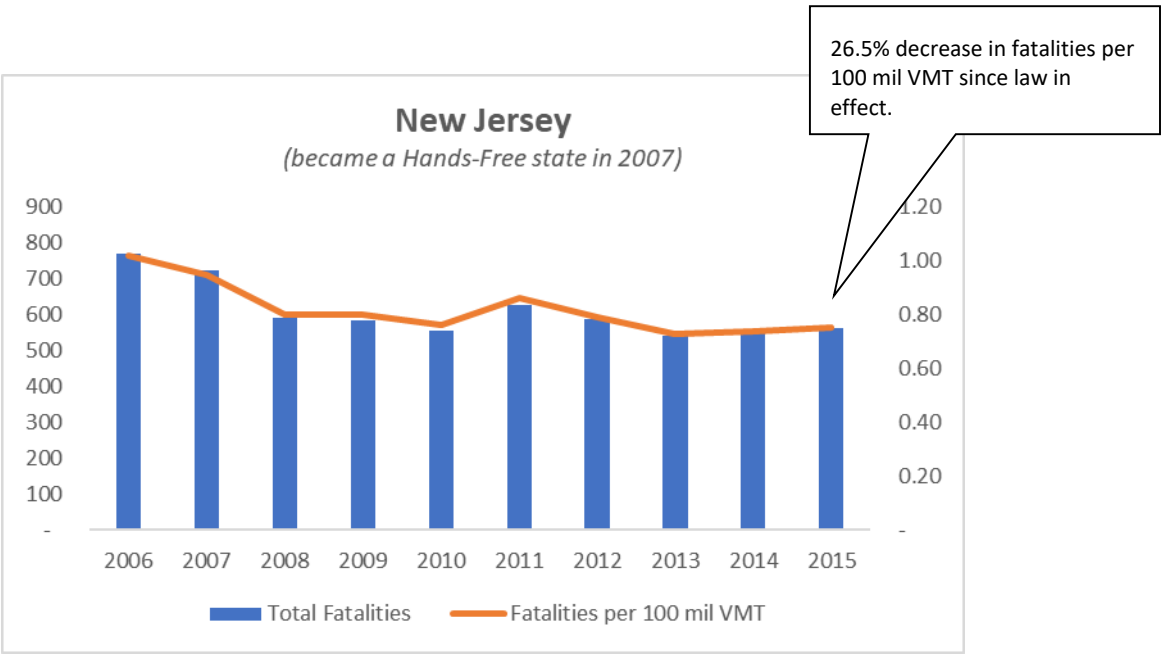
The following graphs further illustrate the effectiveness of hands-free laws on reducing fatalities. In addition, these states were selected because (1) their laws' similarity to the study committee's recommendation; and (2) they have fewer exceptions / exemptions.

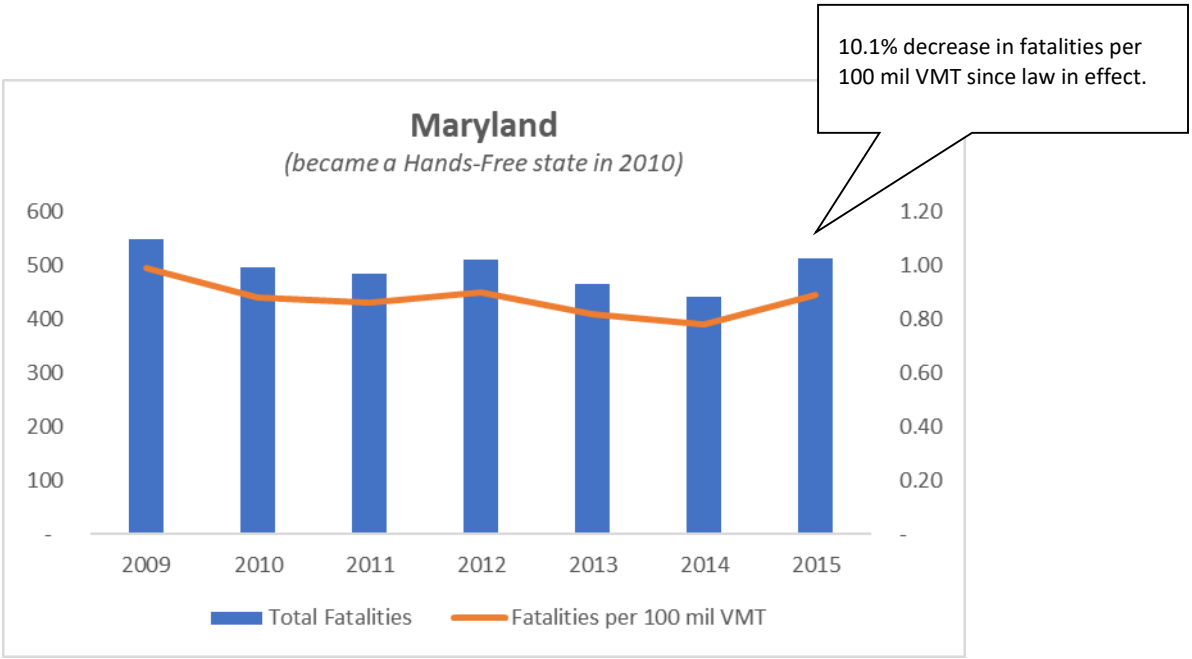
New York was one of the first states to implement a hands-free law.



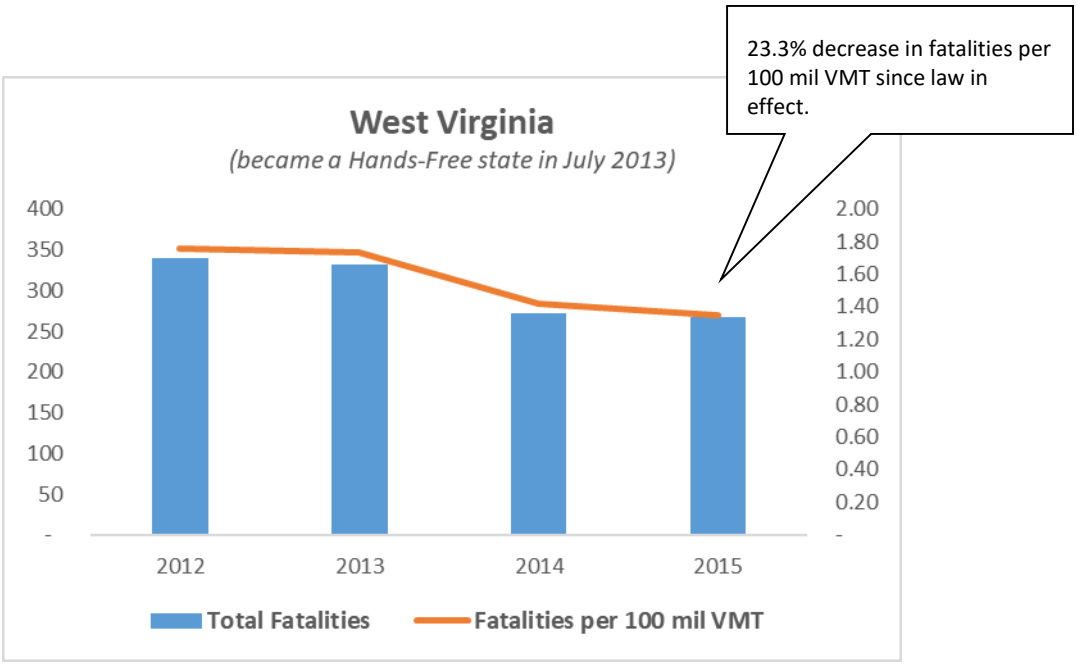


Statistical Reductions in Fatalities among Hands-Free States (continued)

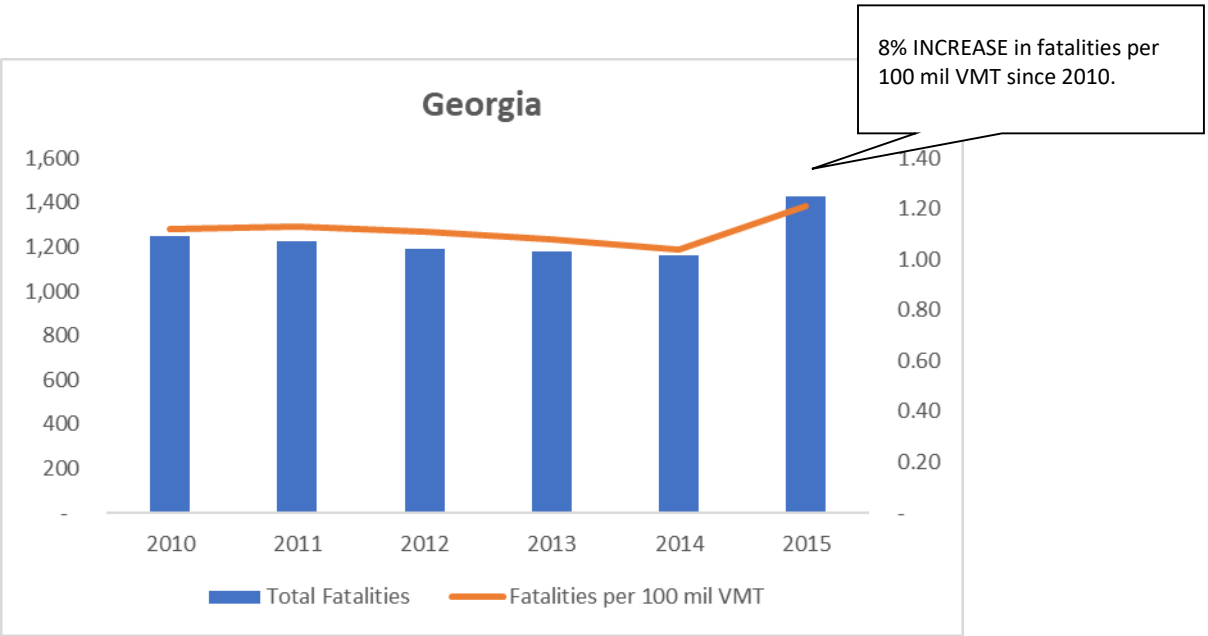




Statistical Reductions in Fatalities among Hands-Free States (continued)



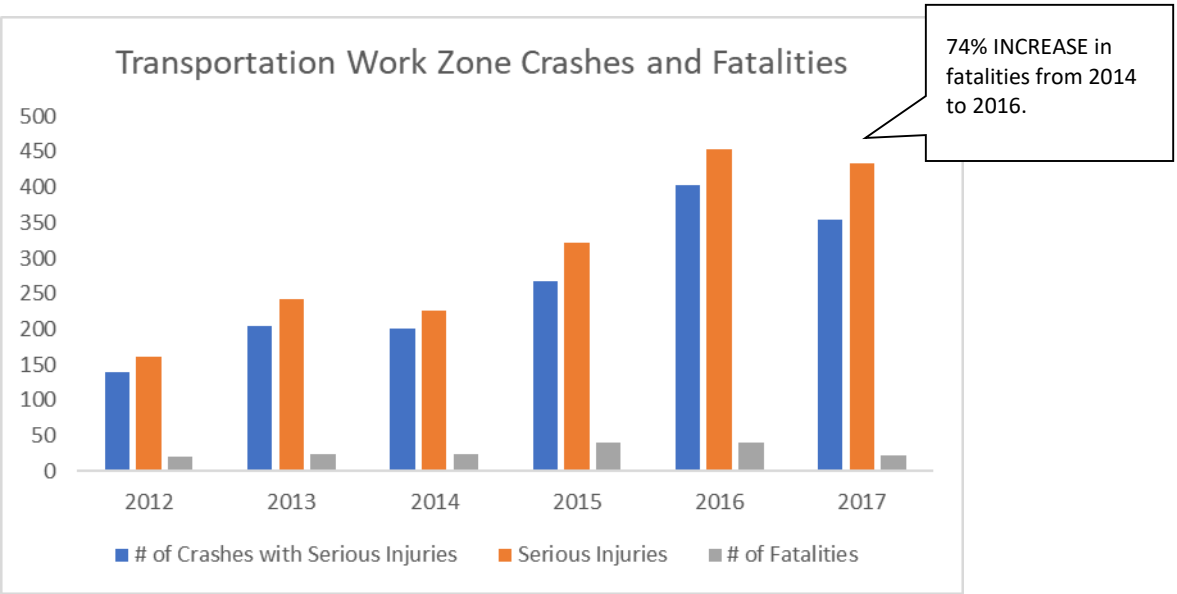
Conversely, Georgia has seen an increase in fatalities since our texting law was passed.



Transportation Work Zone Crashes and Fatalities

Transportation Work Zones Crashes and Fatalities

The following graph illustrates the number of work zone crashes, serious injuries, and worker fatalities as reported by the road construction firms to the Georgia Department of Transportation.



Source: Georgia Department of Transportation
Note: 2017 figures are YTD through October 10, 2017

Recent GDOT Fatality Report

Georgia Traffic Deaths - Yearly Total and Comparison
GDOT Office of Traffic Operations
Fatalities as of 12/05/2017

ROUTE TYPE

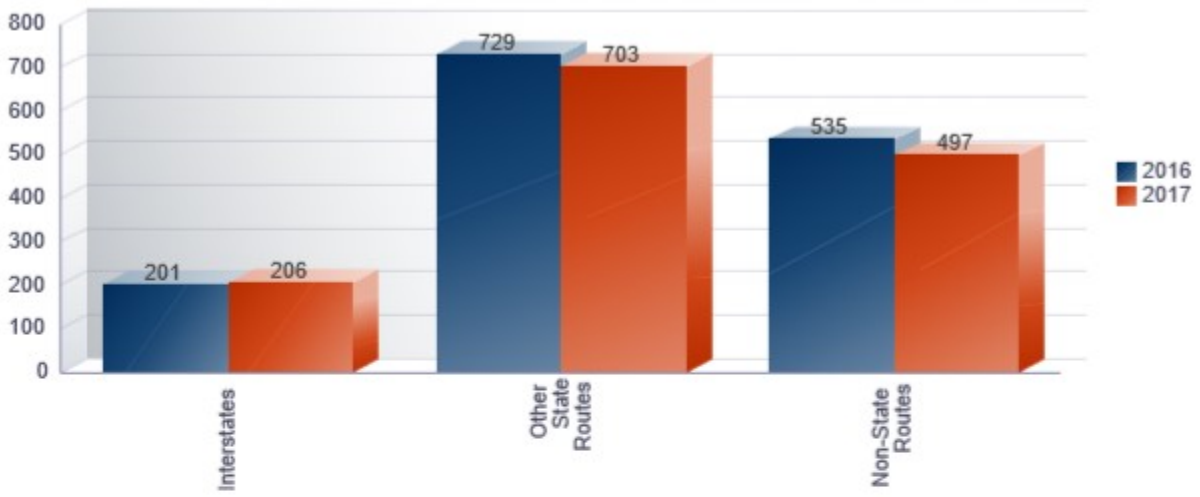
Fatality Details	TOTAL		YEAR TO DATE		YTD CHANGE	
Fatality Type	2015	2016	2016	2017	Difference	Percent
Interstates	193	209	201	206	5	2
Other State Routes	718	786	729	703	-26	-4
Non-State Routes	521	567	535	497	-38	-7
Grand Total	**1432**	**1562**	**1465**	**1406**	**-59**	**-4**

YTD Fatalities by EMPHASIS TYPE

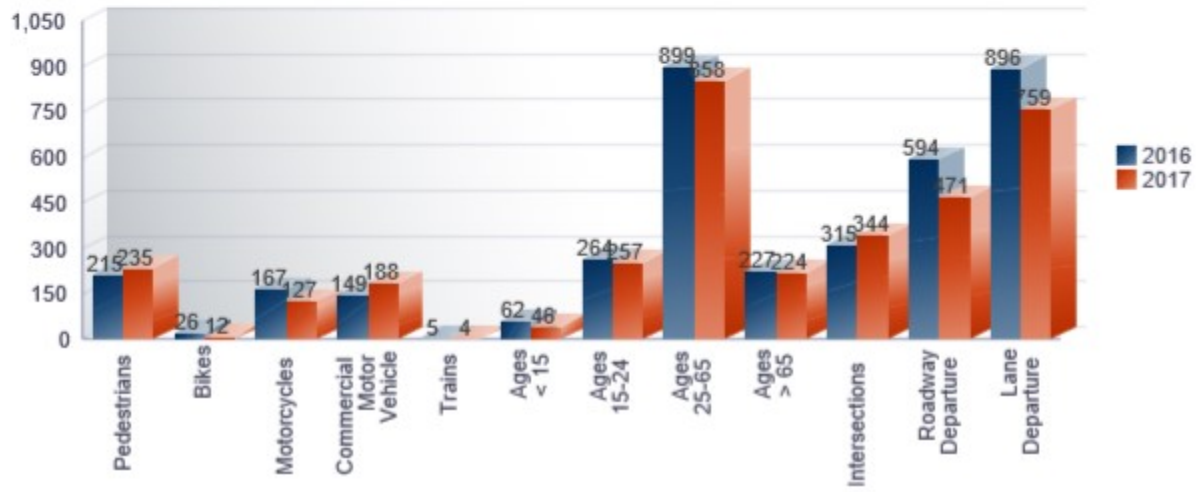
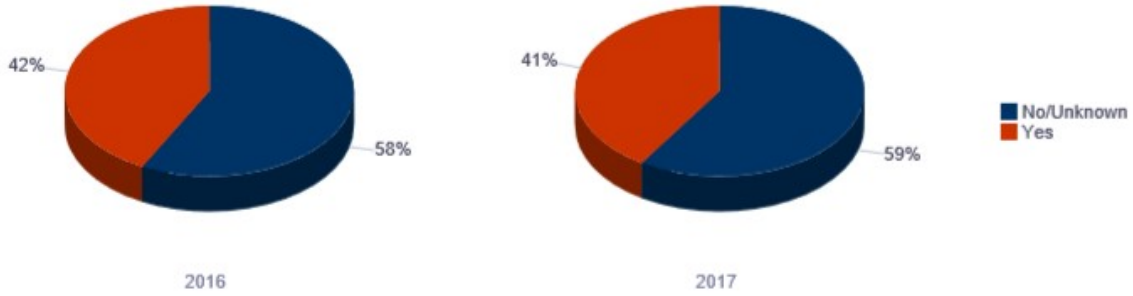
Fatality Details	TOTAL		YEAR TO DATE		YTD CHANGE	
Fatality Type	2015	2016	2016	2017	Difference	Percent
Pedestrians	206	234	215	235	20	9
Bikes	23	29	26	12	-14	-54
Motorcycles	149	170	167	127	-40	-24
Commercial Motor Vehicle	177	162	149	188	39	26
Trains	6	5	5	4	-1	-20
Ages < 15	47	66	62	46	-16	-26
Ages 15-24	269	285	264	257	-7	-3
Ages 25-65	862	954	899	858	-41	-5
Ages > 65	241	243	227	224	-3	-1
Intersections	276	332	315	344	29	9
Roadway Departure	532	630	594	471	-123	-21
Lane Departure	838	951	896	759	-137	-15
Seat Belt (No/Unknown)	587	675	631	617	-14	-2

Note: Any single fatality may fall into one or more Emphasis Types.

YTD Fatalities by ROUTE TYPE



YTD Fatalities by EMPHASIS TYPE



YTD Seat Belt Fatalities