

# Distracted Trucking Drivers

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# Distracted Trucking Drivers

- Drivers are fatigued
  - Trucking companies are overbooking drivers; not following appropriate sleep and/or driver shift scheduling guidelines and regulations.
- Drivers are not properly trained
- Drivers are texting and/or watching media content on their mobile devices while driving

## 49 CFR §392.3 Ill or Fatigued Operator

No driver shall operate a commercial motor vehicle, and a motor carrier shall not require or permit a driver to operate a commercial motor vehicle, while the driver's ability or alertness is so impaired, or so likely to become impaired, through fatigue, illness, or any other cause, as to make it unsafe for him/her to begin or continue to operate the commercial motor vehicle.

# 49 CFR § 392.80 Prohibition against texting

- (a) *Prohibition.* No driver shall engage in texting while driving.
- (b) *Motor carriers.* No motor carrier shall allow or require its drivers to engage in texting while driving.

## 49 CFR § 392.82 Using a Hand-held Mobile Telephone

- (a)(1) No driver shall use a hand-held mobile telephone while driving a CMV.
- (2) No motor carrier shall allow or require its drivers to use a hand-held mobile telephone while driving a CMV.

O.C.G.A. § 40-6-241. Driver to use due care; proper use of radio or mobile telephone not violate section unless violates O.C.G.A. § 40-6-241.2.

- 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.

**O.C.G.A. § 40-6-241.2(C) prohibits anyone from operating a commercial motor vehicle on any public road or highway of this state while:**

- (A) Holding a wireless telecommunications device to conduct a voice communication;
- (B) Using more than a single button on a wireless telecommunications device to initiate or terminate a voice communication; or
- (C) Reaching for a wireless telecommunications device in such a manner that requires the driver to maneuver so that he or she is no longer in a seated driving position properly restrained by a safety belt.

# Solutions to Distracted Trucking Drivers

- Technology is providing solutions to distracted trucking drivers:
  - Lynx DriveCam
    - Provides cameras running inside the cab of the tractor and cameras watching the road ahead of the driver.
  - Autonomous Breaking Systems
    - Manufacturers, such as Volvo, are utilizing autonomous breaking systems
    - <https://www.bing.com/videos/search?q=volvo+autonomous+trucking+breaking+system&&view=detail&mid=B3A99DF536867AC810D7B3A99DF536867AC810D7&&FORM=VDRVRV>

# THE 2015 GEORGIA SOUTHERN NURSING STUDENTS WRECK

Bryan County Superior Court jurors awarded Megan Richards \$15 million for the traumatic brain injury she says she suffered in an early-morning crash on I-16 near Savannah. The wreck, which made headlines nationwide, occurred when a tractor-trailer driven at highway speed ... rolled over the top of a Toyota Corolla carrying three students. The rig then struck the Ford Escape carrying Richards and three other classmates. The two cars, en route to a nursing clinical program, had been sitting in traffic stopped because of an earlier wreck.

During Friday's closing arguments, Cheeley reminded jurors of [the driver's] prior crash and said evidence [he] was fatigued or using his cell phone just before the collision warranted a potential punitive award. *"If he was looking at his cell phone, or if he was fatigued, and driving at 68 miles per hour, that is unconscionable in my book...."*

[Attorneys Debate What Led to Jury's \\$15M Verdict for Survivor of Crash That Killed 5 Georgia Southern Nursing Students](#); blog.cvn.com (2/2/17 update)