

## **RESOLUTION NO.**

**WHEREAS**, several studies have demonstrated that drivers distracted by the use of cell phones and other electronic devices are at increased risk for unsafe driving and crashes; and

**WHEREAS**, according to a study by the U.S. Department of Transportation National Highway Traffic Safety Administration (NHTSA), drivers who engage in cell phone conversations while driving demonstrated significant delay in response times, showed an increase in steering errors and had an increase in unsafe driving maneuvers during dialing and answering; and

**WHEREAS**, according to a study by the Virginia Technology Transportation Institute, drivers who text while driving are 23 times more likely to be involved in an accident than a driver who is not distracted; and

**WHEREAS**, NHTSA estimated that at any given time during daylight hours, 660,000 drivers are using cell phones or manipulating electronic devices; and

**WHEREAS**, the City of Austin was a front runner in the adoption of regulations to address distracted driving, with approval in 2009 of Ordinance Nos. 20091022-028 and 20091217-090 which regulate the use of cell phones and other wireless communication devices while operating a motor vehicle, prohibiting texting and any other activities with exceptions for engaging in phone calls or operating the device in a hands-free mode; and

**WHEREAS**, since 2009, other cities and states have enacted distracted driver regulations including more expansive laws that limit uses to hands-free mode or ban the use of cell phones entirely while driving ; and

**WHEREAS**, over the past five years, technology has evolved with an increased use of many types of devices that may cause distracted driving; and

**WHEREAS**, in a City staff presentation on distracted driving at the Council Comprehensive Plan and Transportation Committee on January 13, 2014, the staff recommended modifications to the city's ordinance, noting issues with enforcement, evolution in technology, and lessons learned from widespread adoption of distracted driving bans by other cities and states subsequent to 2009; and

**WHEREAS**, City staff recommended that the ordinance be expanded to address electronic devices as opposed to being limited to wireless communication devices, have more detailed definitions regarding unsafe and illegal conduct, and that the City consider passing a "hands free" law; and

**WHEREAS**, after a similar staff presentation at the Public Safety Commission on February 3, 2014, the Commission passed Resolution 20140203-03D advising the City Council to form a task force for the purpose of amending, updating, and improving the current ordinance related to texting while driving and to address the broader issue of distracted driving; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Manager is directed to form a Distracted Driving Study Group including representatives from the Public Safety Commission, the Austin Community Technology and Telecommunications Commission, the Urban Transportation Commission, relevant city departments including the Austin Police Department, the Transportation Department, the Law Department, as well as the Telecommunications and Regulatory Affairs Office to receive public input and to develop recommendations on modifications to the current ordinance.

**BE IT FURTHER RESOLVED:**

The City Manager is directed to report the Distracted Driving Study Group recommendations to the Public Safety Commission and the Austin Community Technology and Telecommunications Commission for input before reporting these recommendations to Council by August 1, 2014.

**ADOPTED:** \_\_\_\_\_, 2014

**ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk