

# THREE SECONDS



**"Nearly 80% of crashes and 65% of near-crashes involved some form of driver inattention within three seconds before the event." (NHTSA)**

## Tennessee Association of



## Pupil Transportation

### **55-8-207. Prohibited use of hand-held mobile telephone in 55-8-192. Use of portable electronic device by school bus drivers.**

(a) No driver shall operate a school bus as defined by § 55-8-101 anywhere in this state while using a portable electronic device:

- (1) While the vehicle is in motion and while the vehicle is transporting one (1) or more children; or
- (2) When the vehicle is stopped for the purposes of loading or unloading one (1) or more children from the vehicle.

(b) As used in this section, "portable electronic device" means any:

- (1) Mobile, cellular, analog, wireless, or digital telephone;
- (2) Personal digital assistant;
- (3) Hand-held device with mobile data access;
- (4) Laptop computer;
- (5) Pager;
- (6) Broadband personal communication device;
- (7) Two-way messaging device;
- (8) Electronic game;
- (9) Camera;

(10) Portable computing device;

(11) Global positioning system, if the driver is using at least one (1) hand to hold the device or to enter data into the device while the school bus is in motion; or

(12) Electronic device used to input, write, send, receive, read, or view text or media for present or future communication.

(c) This section shall not apply to:

(1) Two-way radio communications, or any device used in a similar manner as two-way radio communications, made to and from a central dispatch, school transportation department, or its equivalent; or

(2) The use of a device capable of voice communication to report an emergency to the 911 system, a law enforcement agency, fire department, or emergency medical provider.

(d) A violation of this section is a Class A misdemeanor, punishable by a minimum period of confinement of not less than thirty (30) days; a minimum fine of not less than one thousand dollars (\$1,000); and the court shall order that a person convicted of violating this section is permanently prohibited from operating a school bus as defined by § 55-8101 in this state.

**55-8-207. Prohibited use of hand-held mobile telephone in marked school zone – Prohibited use of mobile telephone with hands-free device by person under 18.**

(a) As used in this section:

(1) "Hands-free device" means a device that is designed to allow two-way communication via mobile telephone without the necessity of holding the mobile telephone, such as a speakerphone or headset; and

(2) "Mobile telephone" means a cellular, analog, wireless, or digital device that provides for voice communication or for both voice and data communication. "Mobile telephone" does not include a two-way radio or push-to-talk device.

(b)

(1) It is an offense for a person to knowingly operate a motor vehicle in any marked school zone in this state, when a warning flasher or flashers are in operation, and talk on a hand-held mobile telephone while the vehicle is in motion.

(2) It is a delinquent act for a person under eighteen (18) years of age to knowingly operate a motor vehicle on any road or highway in this state and talk on a mobile telephone that is equipped with a hands-free device while the vehicle is in motion.

(3) This section does not prohibit a person eighteen (18) years of age or older from operating a motor vehicle in any marked school zone in this state, when a warning flasher or flashers are in operation, and talking on a mobile telephone that is equipped with a hands-free device while the vehicle is in motion.

(c) This section shall not apply to the following persons:

(1) Officers of the state or of any county, city, or town charged with the enforcement of the laws of the state, when in the actual discharge of their official duties;

- (2) Campus police officers and public safety officers, as defined by § 49-7-118, when in the actual discharge of their official duties;
- (3) Emergency medical technicians, emergency medical technician-paramedics, and firefighters, both volunteer and career, when in the actual discharge of their official duties;
- (4) Emergency management agency officers of the state or of any county, city, or town, when in the actual discharge of their official duties; and
- (5) Persons using a mobile telephone to communicate with law enforcement agencies, medical providers, fire departments, or other emergency service agencies while driving a motor vehicle, if the use is necessitated by a bona fide emergency, including a natural or human occurrence that threatens human health, life, or property.
- (d)
- (1) A violation of subdivision (b)(1) is a Class C misdemeanor punishable only by a fine not to exceed fifty dollars (\$50.00); and
- (2) A violation of subdivision (b)(2) is punishable only by a fine not to exceed fifty dollars (\$50.00).
- (e) Any person violating this section is subject to the imposition of court costs, including any statutory fees of officers; provided, that the court costs, including any statutory fees of officers, shall not exceed ten dollars (\$10.00). No state or local litigation taxes are applicable to a case prosecuted under this section.
- (f) A traffic citation that is based solely upon a violation of this section is a nonmoving traffic violation and no points shall be added to a driver record for the violation.

### **The Facts About Distracted Driving**

Distracted driving is a major contributor to car crashes, accounting for over 4,000 crashes daily in the United States. While it's well known that cell phone usage can increase your chances of being involved in a crash, eating, tending to children, conversing with other passengers and gazing at objects outside the vehicle can be just as distracting.

### **Driving Requires a Concentrated Effort**

Anything that diverts your attention away from the primary task of driving is a distraction. Distractions include:

- Visual — Takes your eyes off the road
- Cognitive — Takes your mind off the road
- Manual — Takes your hands off the wheel

### **Talk or Text Later**

Research has shown that the distraction caused by a phone conversation is the same for hands-free or hand-held cell phones. Even more distracting is the act of text messaging. Now illegal in most states, texting takes a driver's eyes off the road an average of 4.6 seconds out of every 6 seconds. At 55 mph, this translates into 120 yards without looking at the road.

## Tips for Managing Distractions

- Recognize that driving requires your full attention.
- Use your cell phone only if necessary.
- If you must use your phone, choose a safe time and place, keeping the conversation short.
- Ask a passenger to place a call for you and, if possible, speak in your place.
- Do not compose, send or read text messages while driving. In some states, texting while driving is illegal.
- Ask passengers to help with directions or adjust dashboard controls.
- Secure loose items in the vehicle so they don't become projectiles or distractions in a sudden stop or crash.
- Avoid intense, complicated or emotional conversations when driving.
- Pull over to care for children.
- Stop to eat or drink, rather than trying to eat or drink while driving.
- Get plenty of rest.
- Program your GPS prior to starting your trip.
- Allow plenty of time for your trip.

# Distracted Driving



## What You Need to Know



*1 - No call, no text, no ticket!*

### **New texting and mobile phone restrictions for commercial motor vehicle (CMV) drivers**

The FMCSA and the Pipeline and Hazardous Materials Safety Administration (PHMSA) have [published rules](#) specifically prohibiting interstate truck and bus drivers and drivers who transport placardable quantities of hazardous materials from texting or using hand-held mobile phones while operating their vehicles. The joint rules are the latest actions by the U.S. Department of Transportation to end distracted driving. Violations can result in fines and/or driver disqualifications and will impact a motor carrier's and/or driver's Safety Measurement System (SMS) results.

#### No texting while driving

CMV drivers are prohibited from texting while driving. So what qualifies as texting? Texting means manually entering alphanumeric text into, or reading text from, an electronic device. This includes, but is not limited to, short message service, e-mailing, instant messaging, a command or request to access a Web page, or pressing more than a single button to initiate or terminate a voice communication using a mobile phone or engaging in any other form of electronic text retrieval or entry, for present or future communication. ([Click here for final rule](#)).

**Do not type or read a text message while driving a CMV!**

*Use of mobile phones is restricted for CMV drivers*

This [rule](#) restricts a CMV driver from reaching for or holding a mobile phone to conduct a voice communication, as well as dialing by pressing more than a single button. CMV drivers who use a mobile phone while driving can only operate a hands-free phone located in close proximity. In short, [the rule](#) prohibits unsafely reaching for a device, holding a mobile phone, or pressing multiple buttons.

How can drivers use a mobile phone and still obey the rules?

- Locate the mobile phone so it is operable by the driver while restrained by properly adjusted safety belts.
- Utilize an earpiece or the speaker phone function.
- Use voice-activated or one-button touch features to initiate, answer, or terminate a call.

### **What happens if a driver is caught using a hand-held phone or texting while driving?**

The [rule imposes sanctions](#) for driver offenses, including civil penalties up to \$2,750 and driver disqualification for multiple offenses. Motor carriers are also prohibited from requiring or allowing their drivers to text or use a hand-held mobile phone while driving and may be subject to civil penalties up to \$11,000. Violations will impact SMS results. Texting and calling on a hand-held phone carry the maximum violation severity weighting in SMS!

What are the risks?

Besides penalties and possible driver disqualification, recent research shows that the odds of being involved in a safety-critical event (e.g., crash, near-crash, unintentional lane deviation) are 23.2 times greater for CMV drivers who text while driving than for those who do not. Texting drivers took their eyes off the road for an average of 4.6 seconds. At 55 mph, this equates to a driver traveling the approximate length of a football field — without looking at the roadway! For CMV drivers who dial a mobile phone while driving, the odds of being involved in a safety-critical event are six times greater than for those who do not. Why take chances?

Bottom Line: Using a hand held device while driving is a serious traffic violation that could result in a driver disqualification.

No call, no text, no ticket!

Updated: Thursday, December 18, 2014

# School Bus Driver Fatigue



- Driver fatigue has been the cause of many school bus accidents over the years. There are instances of school bus drivers falling asleep behind the wheel resulting in students being injured and in the most unfortunate of circumstances being killed.
- What exactly is driver fatigue? It is the general term used to describe the experience of feeling sleepy, tired or exhausted when driving a vehicle.
- Almost everyone has days full of personal and professional commitments and responsibilities that create many opportunities to become fatigued.
- School bus drivers are no exception to this fact and their profession alone can be draining. They are often up early in the morning making transportation runs at 6 a.m. and driving long routes. They may also have transportation obligations that extend into the evening such as athletic events or field trips.
- However, there is a deep commitment to high safety standards for school bus drivers.
- It is very important for drivers to be alert when transporting students. However, things such as illness, exhaustion or weariness due to hard work or lack of sleep can rob a driver of the extra edge that they need to ensure safety while driving.
- Not getting enough sleep can impair performance for tasks requiring focus, like driving. When we begin to get drowsy, our reaction time slows, and it takes longer to react and process

information. As a result, fatigue can result in drivers veering off the road, driving into oncoming traffic, causing accidents and endangering student passengers.

- Preventing driver fatigue takes commitment from every including the government, school district, transportation department and each individual driver.
- Understanding the full dangers of driving fatigued, the Federal Motor Carrier Safety Administration (FMCSA) established regulations on the number of hours commercial motor vehicle (CMV) drivers can work.
- Drivers must begin to recognize the warning signs of fatigue, which can vary between drivers. Some symptoms may include heavy eyelids, poor concentration, yawning, restlessness, drowsiness, slow reaction times and irritability.
- School bus driver fatigue is a life-threatening concern that puts drivers, pedestrians, motorists and students at risk. Reducing driver fatigue risks in student transportation is the responsibility of the government, school district, transportation department and the individual drivers.
- Crash risks increase for drivers who get less than seven hours of sleep, according to a new report. Photo courtesy AAA Foundation for Traffic Safety
- Drivers who miss one to two hours of the recommended seven hours of sleep in a 24-hour period nearly double their risk for a crash, according to new research from the AAA Foundation for Traffic Safety.
- The Centers for Disease Control and Prevention says that 35% of U.S. drivers sleep less than the recommended seven hours daily. With drowsy driving being involved in more than one in five fatal crashes on U.S. roadways each year, AAA is warning drivers of the potential consequences of getting less than seven hours of sleep.
- “You cannot miss sleep and still expect to be able to safely function behind the wheel,” said Dr. David Yang, executive director of the AAA Foundation for Traffic Safety. “Our new research shows that a driver who has slept for less than five hours has a crash risk comparable to someone driving drunk.”
- The foundation’s report, *Acute Sleep Deprivation and Risk of Motor Vehicle Crash Involvement*, reveals that drivers who miss two to three hours of sleep in a 24-hour period more than quadruple their risk of a crash compared to drivers who get the recommended seven hours of sleep. This is the same crash risk that the National Highway Traffic Safety Administration (NHTSA) associates with driving over the legal limit for alcohol.
- The AAA Foundation report found that in a 24-hour period, crash risk for sleep-deprived drivers increased steadily when compared to drivers who slept the recommended seven hours or more:
- Six to seven hours of sleep: 1.3 times the crash risk
- Five to six hours of sleep: 1.9 times the crash risk
- Four to five hours of sleep: 4.3 times the crash risk
- Less than four hours of sleep: 11.5 times the crash risk



- The report is based on analysis of a representative sample of 7,234 drivers involved in 4,571 crashes. All data are from NHTSA's National Motor Vehicle Crash Causation Survey.
- A school bus driver is responsible to operate her/his school bus to ensure a safe trip for all passengers always. Skill in driving and following all rules and regulations is important, but so is being alert with the ability to react quickly in case of an emergency and always being prepared for the unexpected. Remember, even though school bus drivers are exempt from the CFR regarding hours of service they still should make every attempt to minimize fatigue and maximize safety.
- Just like drugs or alcohol, sleepiness slows reaction time, decreases awareness, and impairs judgment. Just like drugs or alcohol, it can be fatal when driving.
- Safe driving demands your full attention. If you feel your eyelids getting heavy, then your next actions may not simply determine whether you'll stay awake. They might determine whether you'll stay alive.

### Fatigue on the road can be a killer:

- Did you forget the last mile you drove?
- You cannot recall the last milepost marker you passed?
- Have you been tailgating?
- Are you changing lanes frequently for no apparent reason?
- Are you driving slowly in the high-speed lane?
- Are you driving fast in the slow lane?
- Did you roll down your windows for some fresh air?
- In the last hour, did you calculate the exact time that you would be back home?
- Are you constantly shifting in your seat?
- Can you remember the color of the last 4-wheeler that passed you?
- Are on-coming headlights bothering you?
- Are you driving on the roadway striping (white lines)?
- Are you braking for no apparent reason?
- Are your eyes watery and red (blood-shot)?
- Are you unable to focus clearly?
- Are you difficult to get along with—cranky, irritable?
- Do you need the use of outside stimulation (i.e., medicine, drugs) to stay alert?

### **How do you recognize driver fatigue?**

- When your eyelids start to droop, and road signs become a bit blurry as you are driving along a highway, driver fatigue is taking hold of you.
- To stay awake because you need to reach your destination at a required time, you may turn on the radio, sing loudly or even roll down the window in the hope that the gush of air from outside can perk you up.
- But what you may not know is that this sleepiness, often referred to as, driver fatigue, can be fatal because fatigue is both a physiological (the way a body or organism works) and psychological (relating to the mind or mental processes) experience, and driver fatigue can severely impair judgment.

Driver fatigue can be dangerous because one of the symptoms is decreased ability to judge one's own level of tiredness. Other symptoms vary between drivers, but may include the following:

- Heavy eyelids
- Tired or sore eyes
- Poor concentration
- Yawning
- Restlessness
- Drowsiness
- Slow reaction
- Boredom
- Feeling irritable
- Missing road signs
- Having difficulty staying in the lane/over steering
- Succumbing to micro sleeps.

**It is important to realize that driver fatigue is not simply a result of the time spent driving, but relates to many other factors including hours since last slept (hours of wakefulness) and time of day or night.**

High-risk times for fatigue-related crashes are:

- Night-time and early morning 10 p.m.—6 a.m.
- Afternoon 1 p.m.—3 p.m.

**Fatigue-related crashes at these times coincide with the dips in the body's circadian rhythms, which programs us to feel sleepy at night when we should be asleep and to a lesser extent in the afternoon hours.**

Some Tips about how to prevent driver fatigue. These are recommendations; tailor this information to your own needs to find out what works for you.

- Get a good night's sleep.
- Pull over and stop to rest when drowsiness, discomfort or loss of concentration occurs.
- Napping can acutely improve alertness.
- Be sensible about nutrition and stay hydrated.
- Find out whether any medicine you are taking can affect your driving. Adjust your vehicle's environment so that it helps keep you awake and alert.
- Turn the radio volume up, and switch stations frequently. Avoid soft, sleep-inducing music.
- Do not use cruise control; keep your body involved with the driving.

Just like drugs or alcohol, sleepiness slows reaction time, decreases awareness, and impairs judgment. Just like drugs or alcohol, it can be fatal when driving. Safe driving demands your full attention. If you feel your eyelids getting heavy, then your next actions may not simply determine whether you'll stay awake. They might determine whether you'll stay alive.

**Remember, once fatigue sets in—sleep is the only cure!**

## Reference Materials:

**Federal Motor Carrier Safety Administration**

**The National Safety Council**