

Distracted Driving

Are You to Blame?

by Pete Hanley

Accidents can happen at home, on the job or while traveling. Because accidents are unpredictable, anyone can have one at anytime, anywhere.

We owe it to ourselves, our loved ones and those around us to be vigilant and to practice cautious, defensive driving. Motor vehicle accidents are some of the most costly, both in monetary terms and in lives lost or changed forever. This past Midwest winter was particularly harsh and road conditions were the cause of many accidents. Insurance company claims adjusters were kept busy investigating everything from minor fender benders to major accidents, some with injuries or deaths. But icy, winter roads are not the only hazards drivers face; a variety of situations confront us every time we get behind the wheel.

The following are actual statements taken from accident claim forms. Claims underwriters likely had a few good laughs with the way these statements are worded; however, each one represents a very real, serious challenge that drivers face, and each one resulted in an accident that might have been preventable.

I had been driving for 40 years when I fell asleep, causing the accident.

We've all seen it: a slow-moving car that, at first glance, appears to have no driver. Upon closer inspection, the driver is found to be a small, elderly person who can barely see above the steering wheel. Following this type of driver can be frustrating, as there may be a seemingly illogical combination of swerving, unexpected slowing down, turn signal usage (or lack thereof), lane violations and other interesting events. We may find ourselves cautiously staying as far away from this driver as possible, while sincerely hoping that he/she makes it home safely. Although age can offer significant advantages in many situations, driving tends to be an area when advanced age can create dangerous obstacles for those behind the wheel.

The elderly certainly face many driving challenges. In May 2008, the National Highway Traffic Safety Administration (NHTSA) published the results of a study conducted from 2002-2005 regarding vehicle accidents involving elderly drivers. The study indicates several reasons why an older person may be more likely to cause or be in an accident, including decreased cognitive and motor function, disease, impaired vision, medication usage (categorized as "Potentially Driver-Impairing drugs," such as those to treat high blood pressure, heart disease and diabetes) or drug interactions among prescribed medications.

The NHTSA estimates that by 2030, there will be 70 million Americans over the age of 65, many of whom will continue to drive. If we factor in the greater number of older drivers with some of the age-related challenges this group faces, we can see that the potential exists for many more accidents in the future. And because the incidence of motor vehicle death among the elderly is second only to teen-driver related death, it becomes more important than ever to address issues involving older drivers.¹ Programs and services have been made available to facilitate discussions on this topic that, for many, can be a sensitive one. For example, AAA offers safe driving classes and other tips to help families approach this issue with older family members.² Other local organizations, such as the Eastern Nebraska Office on Aging, provide resources to help keep older drivers safe.

Distractions—it only takes a second...

I was thrown from my car as it left the road. I was later found in a ditch by some stray cows.

Accidents don't always involve multiple vehicles. Single-car accidents are caused by a variety of sources, including driver distraction or impairment, speeding or other unsafe practices



and car/animal encounters. It's fairly safe to assume that this driver above, who was thrown from the vehicle, was not wearing a seat belt. We can also question whether the driver was paying attention or had swerved to avoid contact with another driver or an animal, causing him to lose control and find himself in the ditch. According to the National Safety Council (NSC) website, responsible drivers practice good habits such as wearing seatbelts, driving sober, focusing on the road and driving defensively. It doesn't take a huge mistake to cause a major accident. Driving with the intent to avoid an accident can help prevent small mistakes from turning into costly mishaps.³

I had been shopping for plants all day and was on my way home. As I reached an intersection, a hedge sprang up, obscuring my vision and I did not see the other car.

Distractions are all around us: from billboards and potholes to cell phones/PDAs, car radios, DVD players, passengers and other vehicles. It's fairly obvious that this driver experienced some sort of distraction. It's easy to blame the hedge, but the real responsibility lies with the person behind the wheel.

As I approached the intersection, a stop sign suddenly appeared in a place where no stop sign had ever appeared before. I was unable to stop in time to avoid the accident.

One has to wonder what type of distraction led to this accident. Today, cell phone usage and texting are the most common distractions for drivers. Approximately 28% of all vehicle accidents (1.6 million crashes a year) result from cell/texting distraction. The NSC estimates that a driver preoccupied with a call or text has a crash risk 4 times greater than one who is not using a cellular device.⁴ A NSC release on January 1, 2010 reports that an Insurance Institute for Highway Safety (IIHS) study shows a direct correlation between cell phone usage and an increase in motor vehicle accidents. IIHS research also concluded that there is little difference between hand-held and hands-free devices, which led the IIHS to encourage state legislators to enact bans on all cell devices.⁵ In response to the growing problem of behind-the-wheel media distractions, the Iowa legislature passed such a bill this past March, banning the use of all electronic devices by teenage drivers and opening the door for additional, far-reaching legislation.⁶

No one was to blame for the accident, but it never would have happened if the other driver had been alert.

A driver may be distracted by a number of things, including squabbling children, passenger conversations, eating, smoking or any other activity that results in disengagement from the task at hand. The most important thing a driver should do is pay attention to the road, the traffic around his/her car and the road activity at least several blocks ahead. For many, there may be a myriad of distractions that take the driver's focus away from the road.⁷ Staying alert is the best way to avoid the unpredictable. Did another driver swerve to miss a pothole? Was a pedestrian crossing the street in the middle of the block? How did that trash bag get in the middle lane on the interstate? Being prepared can help prevent accidents, reduce insurance claims (thereby keeping premiums low) and avoid injury and/or the inconvenience that occurs if your vehicle needs repair.

An invisible car came out of nowhere, struck my car and vanished.

This one could be a little more difficult to diagnose. More than likely, some type of distraction made this accident unavoidable. Let's speculate that this driver's vehicle is part of an employer's fleet of company vehicles. Perhaps the driver was checking a map for the location of a delivery or was behind schedule and took a few shortcuts to make up time. Anything *could* have happened, but an accident involving an employer's vehicle *did* happen. It's important to remember that a moment's distraction behind the wheel can result in injury and potential loss of work time, not to mention the need to file a variety of reports. SilverStone Group clients have the unique opportunity to access SilverSource for help with employer issues regarding workplace accidents. Contact your account manager if you need to access this valuable resource.

No matter who you are, you may experience a motor vehicle accident at some point in your life. Whether your job requires you to be on the road constantly, you just drive back and forth to work, you are a busy parent transporting children around town or your driving trips are simply for pleasure, driving is a privilege and doing it safely is your responsibility. Don't let distractions and lapses in focus creep in while you drive. Be alert and have a safe trip.

¹ National Highway Traffic Safety Administration, DOT HS810858, "Multiple Medications and Vehicle Crashes: Analysis of Databases: Final Report," May 2008, accessed at <http://nhtsa.gov> on April 5, 2010

² <http://nebraska.aaa.com/page/Driving-Safety/pc/670/c/689/689.uts>

³ www.nsc.org/safety_road/Pages/safety_on_the_road.aspx

⁴ www.nsc.org/safety_road/Distracted_Driving/Pages/distracted_driving.aspx

⁵ www.nsc.org/Pages/NSCApplaudsIIHSEffortstoUnderstandEffectsofCellPhoneUseLegislation.aspx

⁶ www.wirelessweek.com/News/2010/03/Policy-and-Industry-Iowa-Cell-Phone-Ban-Young-Drivers-Government/

⁷ www.distraction.gov/files/get-involved/General/DD_MK_FQA.pdf - 2010-04-01