

*"Everyone is susceptible to the dangers of distractions on the roadways, railways, waterways and in the air. To change this, an attitudinal shift needs to happen in our culture that must start with us working together across all modes to make transportation safer."*

- Member Robert Sumwalt

**NTSB Board Member Robert Sumwalt  
to host a Multimodal Roundtable Discussion:**

# ***DISCONNECT FROM DEADLY DISTRACTIONS***

**Distraction is a growing and  
life-threatening problem in all  
modes of transportation.**

To reduce crashes, injuries, and deaths, drivers and other operators will have to completely disconnect from an increasing variety of deadly distractions. To achieve this goal will also require all of us working together, so join us on

**March 31, 2015 9:00 am- 4:00 pm**

to kick off **National Distracted Driving Awareness Month** with a multimodal roundtable discussion that will feature experts and advocates from all modes of transportation to learn how to better combat the growing problem of distractions in transportation.

**Transcript of NTSB Multimodal  
Roundtable Discussion held on  
Tuesday March 31, 2015**

National Transportation Safety Board  
**Conference Center**  
429 L'Enfant Plaza SW  
Washington, DC 20594

Disconnect from  
Deadly Distractions  
through:

**Education**

**Enforcement**

**Legislation/  
Regulation**

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**NTSB** National  
Transportation  
Safety Board

## NATIONAL TRANSPORTATION SAFETY BOARD

## OFFICE OF SAFETY ADVOCACY

## OFFICE OF RECOMMENDATIONS &amp; COMMUNICATIONS DIVISION

+ + + + +

ROUNDTABLE:  
DISCONNECT FROM DEADLY DISTRACTIONS

+ + + + +

Tuesday,  
March 31, 2015

+ + + + +

Washington, DC

+ + + + +

## PRESENT:

ROBERT L. SUMWALT, NTSB Board Member, Moderator  
 PAUL ATCHLEY, University of Kansas  
 WILLIAM BATES, SMART Transportation Division  
 ANITA BOWLES, National Organizations for Youth Safety  
 JANET BROOKING, Drive Smart Virginia  
 MIKE BROWN, NHTSA  
 STEPHEN CASNER, NASA  
 JOE DELORENZO, Federal Motor Carrier Safety  
 Administration  
 MICHAEL FAGIN, Insurance Institute for Highway Safety  
 HAROLD CHIP FEININGER, Norfolk Southern Railroad  
 JOEL FELDMAN, EndDD.org  
 JUREK GRABOWSKI, AAA Foundation for Traffic Safety  
 ROBERT GRIFFITHS, Cruise Lines International  
 Association  
 JACK HANLEY, NETS  
 ED HUTCHISON, National Sheriffs' Association  
 CHARLIE KLAUER, Virginia Tech  
 PETER KURDOCK, Advocates for Highway and Auto Safety  
 THOMAS LITTLETON, Federal Transit Administration  
 ADRIAN LUND, Insurance Institute for Highway Safety

This transcript was produced from video  
 provided by the National Transportation Safety Board.  
 PRESENT (cont.):

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JACKIE MCCARTHY, CTIA- The Wireless Association  
SGT ANTHONY MENDEZ, Delaware State Police  
LAURIE GABRIEL MILLEN (phonetic), National Highway  
Traffic Safety Administration  
CHRIS MULLEN, State Farm  
JAKE NELSON, AAA  
CAPT. JEFF PERIN, Airline Pilots Association  
DEBBIE PICKFORD, Allstate  
DANA SCHRAD, Virginia Association of Chiefs of Police;  
Virginia Association of Campus Law Enforcement  
Administrators  
JENNIFER SMITH, StopDistractions.org  
SANDY SPAVONE, Family, Career, and Community Leaders of  
America  
CAITLYN STEWART, American Waterways Operators  
JEFF STEWART, AT&T  
DAVID STRAYER, University of Utah  
LCD JEFF TAYLOR, NOAA  
DAVID TEATER, National Safety Council  
DAVID WILSON, CEA  
BILL WINDSOR, Nationwide Insurance

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P-R-O-C-E-E-D-I-N-G-S

(9:00 a.m.)

1  
2  
3 BOARD MEMBER SUMWALT: Good morning. Welcome  
4 to the roundtable on distractions in transportation. I am  
5 Robert Sumwalt, and I'm a board member of the National  
6 Transportation Safety Board.

7 I see I have one of my colleagues in the  
8 audience; Member Earl Weener is back in the audience. And  
9 Member Dinh-Zarr I think was coming and I don't see her,  
10 but anyway it is our pleasure to have you. Welcome.

11 It's my pleasure to serve as the moderator of  
12 this roundtable, Disconnect from Deadly Distractions. It  
13 is on the NTSB's Most Wanted List, and there is a darn good  
14 reason for it. We have seen crashes in all modes of  
15 transportation where deadly distractions were present.

16 As the result of a highway crash investigation  
17 in 2011, the NTSB issued safety recommendations to all 50  
18 states and the District of Columbia to ban the  
19 non-emergency use of portable electronic devices, other  
20 than those designed to support the driving task for all  
21 drivers. Our sole motivation for doing that was to improve  
22 transportation safety.

23 I have thought a lot about this roundtable, and  
24 I really believe that this roundtable will be a seminal  
25 event. I know that each of today's participants have

1 extensive background in dealing with distractions in  
2 transportation. But to my knowledge, this may be the first  
3 time that this distinguished group has gathered in masse  
4 to discuss multi-modal aspects of distraction, and I want  
5 to express my appreciation for each of you for being here.  
6 I assure you your attendance, your participation, and your  
7 perspectives are all valued, so thank you for being here.

8           What are the objectives of being here? Well,  
9 I think there are four. First, we want to increase  
10 awareness of the need to disconnect from deadly  
11 distractions by having a conversation that focuses on the  
12 multi-modal aspects of distraction. Secondly, I'm hoping  
13 we can promote a needed cultural change with respect to  
14 distractions.

15           Next, I think we all recognize that technology  
16 can help us, and I certainly do not want that point to get  
17 lost, but the third objective is to discuss how technology  
18 can increase the potential for distractions. Finally, I  
19 want to engage in a dialogue that will lead to solutions  
20 for the future.

21           As we all know, tomorrow begins Distracted  
22 Driving Awareness Month. And we all know that distracted  
23 driving is a big problem. But I've got two things to say  
24 about that. First, we realize that distractions come in  
25 all shapes and forms. It can involve rowdy kids in the back

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1 seat. It can involve trying to eat a hamburger while  
2 driving down the road. It can involve trying to read a road  
3 sign to see which exit to take. As an airline pilot I  
4 recognize -- former airline pilot I recognize that  
5 distractions can take the form of a flight attendant  
6 calling to say there is a double seat assignment or a gate  
7 agent entering the cockpit to close out the flight when  
8 you're running a checklist. So distractions can take all  
9 forms and shapes. But for today's discussion, I want to  
10 focus on distractions involving technology. And I suspect  
11 that some distractions may be unavoidable, but I suspect  
12 that many of those involving technology are avoidable.

13 The second point is that although we realize  
14 distracted driving is a problem, we want today's  
15 conversation to cut across all modes of transportation.  
16 And why? Because we realize at the NTSB, we have seen the  
17 effects of deadly distractions in all modes of  
18 transportation, especially on our highway where 9 out of  
19 the 10 transportation deaths occur. The accidents that  
20 we've seen at the NTSB, they are just the tip of the iceberg.

21 For example we investigated a crash where a  
22 19-year-old driver going 55 miles an hour ran into the back  
23 of a stopped truck. There were no skid marks. There was  
24 no evidence of braking. He was texting. That led to a  
25 chain reaction of crashes that also claimed the life of a

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1 young girl. As far as other modes are concerned, one of  
2 the most deadly rail accidents in recent history involved  
3 an engineer of a commuter train that ran a red signal. His  
4 train ran head-on with a freight train. There were 25  
5 fatalities.

6 And I personally was standing on the banks of  
7 the Delaware River a few years ago when the body of a young  
8 man surfaced. This was after the tour boat in which he was  
9 riding was basically struck by a barge pushed by a  
10 distracted helmsman. And I know that others have other  
11 stories as well, some more personal, some closer to home,  
12 but this is certainly one that I will always remember. We  
13 investigated a case where a helicopter pilot was  
14 distracting. He ran out of fuel. Four lives lost in that.  
15 We have seen cases where airline pilots overflowed their  
16 destination because they were involved with laptop  
17 computers. It is indeed a multi-modal problem and one that  
18 requires a cultural change.

19 I think by and large we have had a cultural  
20 change with respect to wearing seat belts where now only  
21 a small percentage of people do not wear them. Think how  
22 the culture has changed with respect to smoking in this  
23 country. Remember smoking sections in airplanes, in  
24 restaurants? Remember people smoking in their offices?  
25 And it wasn't that long ago, was it? Why did it change?

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1 It changed because people realized it was a health hazard  
2 and behavior changed, thankfully. We need a similar  
3 cultural change in order to have people disconnect from  
4 deadly distractions.

5 Now as far as technology is concerned, we've see  
6 in every transportation mode ways that technology can  
7 advance safety, but we've also seen that technology can  
8 have a profound negative effect on safety through  
9 distractions, and I'm afraid that distractions will become  
10 even more problematic if we do not effect a cultural change  
11 and soon.

12 In order for this roundtable to be successful,  
13 we need for today to be a real conversation, give-and-take  
14 among you, and the experts. Sitting here at the table, we  
15 literally have the leading experts in the area of  
16 distraction. We have diverse experiences, diverse  
17 sectors, and we have diverse points of view. Now I'm not  
18 here to talk at you. I'm just simply here to moderate a  
19 conversation. So after these introductory remarks, the  
20 less I say and the more you say, the better this thing will  
21 go.

22 Let me ask you this. Can we learn from each  
23 other and build on each other's experiences? Can we? You  
24 bet we can. The success of this roundtable will depend on  
25 how willing we are to step outside of our stove pipes, to

1 think in new ways and to start a conversation that can lead  
2 to new solutions for the future.

3 We've divided the forum into four tracks, the  
4 science of distraction, technology and engineering,  
5 education, legislation, and enforcement, corporate policy  
6 and regulation, future endeavors and challenges. We have  
7 structured this really as a give-and-take discussion. And  
8 so what we'll do, we'll start each discussion, each track  
9 with an informal conversation with a group of three  
10 panelists that we've selected, people who have expertise  
11 in that particular area. We'll start with a brief maybe  
12 15 minute conversation with those panelists, and then we'll  
13 open it up to the rest of you.

14 Once the floor is open, just raise your hand,  
15 and I will call on you if you have a comment. But to keep  
16 the conversation flowing and to get as many viewpoints as  
17 we can, I will ask that you keep your comments to 2.5  
18 minutes. That will keep the conversation flowing. We've  
19 got timers and lights to help with timekeeping. Don't be  
20 afraid to disagree, and don't be afraid to take someone  
21 else's viewpoint even further. Don't be afraid to say  
22 there is another approach in another mode, another company,  
23 another geographic area. That's where the creativity and  
24 the collaboration will come in. The way I look at it and  
25 perhaps you'll look at it as well, just look at this as a

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1 conversation of people sitting around a dining room table  
2 having a conversation.

3           Before wrapping up my opening remarks, I would  
4 like to thank NTSB's Nicholas Worrell for organizing this  
5 event. Nicholas has really been the -- he's been  
6 the -- this has been his brainchild. Nick, I know you have  
7 done a lot of work to make this happen, and I want to thank  
8 you. But also as most things are, it has been a group  
9 effort. Our NTSB staff has been involved, and I will list  
10 their names alphabetically. Dr. Bob Beaton, Carrie Bell,  
11 Larry Bowling, Evan Byrne, Dennis Collins, Dan  
12 Halberstein, Keith Holloway, Stephanie Shaw.

13           Before beginning the first panel, why don't we  
14 do our safety briefing? We have got our exits -- that  
15 scared me; I saw my picture up there.

16           (Laughter.)

17           So we have got the exits on either side of the  
18 stage and then of course the doors in which you entered.  
19 Now I like to think of this, think about the type of  
20 emergency we might face. If you take these exits, they  
21 don't take you outside, they take you out of the building,  
22 but it will take you further into the building. Those of  
23 course will take you outside. But these will get you out  
24 of the room, but it puts you into a big corridor. So just  
25 think about that depending on the nature of the emergency.

1           Outside, in the vestibule there inside of the  
2 glass doors, there is a defibrillator if we happen to need  
3 it. And while we are talking about distractions, if you  
4 would, go ahead and silence these devices. But while we  
5 are on the topic of electronic devices, our staff will be  
6 live tweeting, and certainly I would encourage you to feel  
7 free to do the same thing. Our hashtag is #deadly  
8 distractions, and we encourage you to broaden the reach of  
9 the discussions through Twitter and other social media.

10           We will also be webcasting the event. And even  
11 though you may be speaking to the person right next to you,  
12 please use the microphones so the webcast can pick you up.  
13 And I know that we will have lively discussions and everyone  
14 will want to jump in and that is good. But if you would,  
15 to avoid talking over each other, just, if you will, just  
16 wait for me to call on you.

17           So before we really begin, any questions about  
18 the logistics? Well, I tell you what, if that is the case,  
19 why don't we go around the room and have each participant  
20 introduce themselves, state your name, and who you are with  
21 you and we will start right here.

22           MS. STEWART: My name is Caitlyn Stewart, and  
23 I am with the American Waterways Operators, which is the  
24 national trade association for the tugboat, towboat, and  
25 barge industry.

1 MR. TEATER: I am David Teater; I am  
2 responsible for distracted driving initiatives at the  
3 National Safety Council.

4 MS. MCCARTHY: I am Jackie McCarthy with  
5 CTIA- The Wireless Association.

6 DR. LUND: Adrian Lund with the Insurance  
7 Institute for Highway Safety.

8 CAPT. PERIN: Captain Jeff Perin with the Air  
9 Line Pilots Association.

10 BOARD MEMBER SUMWALT: Give Jack some -- on  
11 those microphones there.

12 MR. HANLEY: Jack Hanley, Executive Director,  
13 Network of Employers for Traffic Safety.

14 MR. STEWART: Jeff Stewart with AT&T,  
15 supporting our technology in the connected cars business.

16 MR. WILSON: Dave Wilson with the Consumer  
17 Electronics Association.

18 MR. GRABOWSKI: Jurek Grabowski with the AAA  
19 Foundation for Traffic Safety.

20 MR. NELSON: Jake Nelson, AAA.

21 MR. HUTCHISON: Ed Hutchison, Traffic Safety  
22 Director for the National Sheriffs' Association.

23 MR. WINDSOR: Bill Windsor, responsible for  
24 consumer safety at Nationwide Insurance.

25 MR. FAGIN: Mike Fagin with the Insurance

1 Institute for Highway Safety.

2 MS. BOWLES: Anita Bowles with the National  
3 Organizations for Youth Safety, also known as NOYS.

4 LDR TAYLOR: Lieutenant Commander Jeff Taylor  
5 with NOAA's Office of Marine and Aviation Operations.

6 MR. BATES: My name is William Bates. I am with  
7 the SMART Transportation Division.

8 MS. MULLEN: Good morning, Chris Mullen with  
9 State Farm's Technology Research Division.

10 MS. MILLEN: Hi, I'm Lori Gabriel Millen with  
11 the National Highway Traffic Safety Administration.

12 MR. FEININGER: Good morning. Chip  
13 Feininger, Norfolk Southern Railroad System Safety  
14 Coordinator, and I have with me Doug Bachman (phonetic).  
15 He's our Brotherhood of Locomotive Engineer and Trainmen  
16 local chairman, Harrisburg.

17 MR. ATCHLEY: Paul Atchley, University of  
18 Kansas. I'm a distracted driving researcher.

19 MR. BROWN: Good morning, I'm Mike Brown,  
20 Director of the Office of Impaired Driving and Occupant  
21 Protection at NHTSA, which includes distracted driving in  
22 its portfolio.

23 MS. BROOKING: Janet Brooking with DRIVE SMART  
24 Virginia.

25 DR. KLAUER: Charlie Klauer from the Virginia

1 Tech Transportation Institute. I also am a driver  
2 distraction researcher.

3 DR. CASNER: Steve Casner, I am a research  
4 psychologist at NASA's Ames Research Center.

5 DR. STRAYER: David Strayer from the  
6 University of Utah. I do research on distracted driving.

7 MR. KURDOCK: I'm Peter Kurdock. I'm the  
8 Director of Regulatory Affairs for Advocates for Highway  
9 and Auto Safety.

10 MS. PICKFORD: Good morning, I'm Debbie  
11 Pickford. I am with Allstate Insurance Company.

12 MR. GRIFFITHS: Good morning, I'm Rob  
13 Griffiths, Director of Technical and Regulatory Affairs  
14 for Cruise Lines International Association, CLIA,  
15 representing the global cruise industry.

16 MR. DeLORENZO: Joe DeLorenzo, Director of the  
17 Office of Enforcement and Compliance with the Federal Motor  
18 Carrier Safety Administration, responsible for large truck  
19 and bus safety.

20 SGT MENDEZ: Sergeant Anthony Mendez, Delaware  
21 State Police Collision Reconstruction.

22 MS. SCHRAD: Good morning, I'm Dana Schrad, I'm  
23 Director for the Virginia Association of Chiefs of Police,  
24 also the Virginia Association of Campus Law Enforcement  
25 Administrators.

1 MR. FELDMAN: Good morning, Joel Feldman,  
2 EndDD.org, End Distracted Driving education programs about  
3 raising awareness about distracted driving.

4 MS. SMITH: Jennifer Smith with  
5 StopDistractions.org. We're an organization that works  
6 with victims and their families, of distracted driving  
7 crashes.

8 MS. SPAVONE: Good morning, I'm Sandy Spavone  
9 with Family, Career, and Community Leaders of America.  
10 We're a youth organization that engages and empowers youth  
11 to take on these issues.

12 BOARD MEMBER SUMWALT: Excellent. So let's  
13 see if it works. It does work. So we will start our first  
14 panel, and so we've got Dr. Charlie Klauer who's the leader  
15 of the Teen Risk and Injury Prevention Group at Virginia  
16 Tech; Dr. Steve Casner, research psychologist at NASA Ames  
17 Research Center; Dr. David Strayer who is a professor in  
18 cognition and neural science at the University of Utah.

19 So it is striking how much we hear about  
20 technologies that might become a distraction and how little  
21 we hear about how the brain works and how distractions  
22 potentially can affect us. And if you can, just give us  
23 the elevator speech. We are starting on the first floor  
24 and we're going up to the tenth floor, so just an elevator  
25 speech. Dr. Klauer, tell us a little bit about your

1 research very quickly.

2 DR. KLAUER: Okay, at the Virginia Tech  
3 Transportation Institute, we conduct a lot of what we call  
4 naturalistic driving studies. And those studies are  
5 studies where we instrument vehicles with multiple cameras  
6 and very highly capable data acquisition systems, so we  
7 know exactly how fast people are traveling, how hard they  
8 are breaking, how hard they are cornering, but we are also  
9 watching their behavior. So our cameras are typically,  
10 and the data acquisition systems, are on from ignition on  
11 to ignition off.

12 So every moment in time while these vehicles are  
13 moving, we are watching both the forward views and the rear  
14 views as well as the driver's face and their over the  
15 shoulder typically. So we have a really good idea of  
16 exactly what these drivers are doing as they are driving  
17 and the types of traffic that they are engaging in and  
18 involved in.

19 The real beauty of this type of data is that not  
20 only do we collect data on hundreds of drivers, millions  
21 of vehicle miles, but we are also able to watch that driver  
22 behavior in those seconds leading up to crashes and what  
23 we also call near-crashes. So we see exactly what is  
24 happening as these drivers are involved in these types of  
25 events and how they respond or don't respond in many cases.

1 BOARD MEMBER SUMWALT: Great, we want to pick  
2 your brain in just a few minutes and hear what you have  
3 found.

4 Dr. Casner?

5 DR. CASNER: Yes, we do similar sort of  
6 research with airline pilots. We have a very high fidelity  
7 simulator. Member Sumwalt will know it's a Level D 747  
8 simulator, and we put pilots in there and look at their  
9 behaviors when we they're operating under different levels  
10 of automation, so that's a big thing with our work, ranging  
11 from completely manual operation of the airplane all the  
12 way up to a very highly automated situation. So I suppose  
13 we will talk about our results and theories in a moment.

14 BOARD MEMBER SUMWALT: Indeed, yes, we will get  
15 the results in just a second.

16 Dr. Strayer?

17 DR. STRAYER: Yes, I'm interested in the  
18 neuroscience of multitasking, how our brains are actually  
19 able to try and do more than one thing at a time, and frankly  
20 we are just not wired to do it. We really are  
21 single-taskers that are just doing one thing at a time, and  
22 if we try, the distraction basically arises from when we  
23 are trying to juggle two things at once and we are just  
24 switching between one activity and another. And so in the  
25 context of driving, we are trying to understand something

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1 about how our minds are able to try and juggle the  
2 interactions with smart phones and driving or other kinds  
3 of technologies or voice-based.

4 BOARD MEMBER SUMWALT: But you're saying that  
5 we're not good at multi-tasking, and yet we all do it all  
6 the time, right?

7 DR. STRAYER: Yes, so it's an illusion that we  
8 think -- everyone thinks that they are a good multitasker.  
9 Most people do. The truth of the matter is if you try and  
10 look at how people perform, they are really switching  
11 between one activity and another. And when you are engaged  
12 in one activity, everything else is kind of just left kind  
13 of unsupervised. When you then come back to, you may  
14 actually show all kinds of costs. So we aren't as good at  
15 multitasking even though our brains are massively  
16 parallel, our behavior's not.

17 BOARD MEMBER SUMWALT: Excellent, and I've got  
18 a book here by one of Dr. Casner's set of colleagues here.  
19 It's called The Multitasking Myth. How many of you believe  
20 that multitasking is a myth?

21 DR. CASNER: Well I can agree with Dr. Strayer  
22 that I am aware that it is a myth.

23 BOARD MEMBER SUMWALT: You're going to have to  
24 speak up a little bit or grab the mic a little bit closer  
25 to you.

1 DR. CASNER: Certainly. One of the things we  
2 find in our studies is how unshakable the belief people have  
3 in their ability to do this, which is almost insane from  
4 our perspective. It is like having 7 billion people firmly  
5 believe that they can fly just by flapping their arms. We  
6 can't talk these people out of this. We look at airline  
7 pilots who are highly trained and experienced, and it is  
8 just amazing, they -- their belief in their ability to  
9 multitask is as strong as anyone else's. How do we  
10 overcome this?

11 BOARD MEMBER SUMWALT: So, Dr. Klauer, do you  
12 believe that we can multitask or is that really more or less  
13 a myth? I'm sure it's a more complicated answer than that,  
14 but tell us about that. Tell us what your research is  
15 finding with respect to people's ability to talk on a  
16 telephone while driving a car or other -- and I guess we  
17 can extrapolate that to other modes of transportation.

18 DR. KLAUER: Right, so what our research is  
19 showing us is as we watch these people drive their normal  
20 vehicles on their normal daily commutes, what we are  
21 finding is that those types of tasks, the multitasking that  
22 requires the driver's eyes to be off of the forward roadway  
23 for even brief periods of time, as well as very long lengths  
24 of time, those are the types of tasks that we have  
25 identified as increasing risk of being involved in crashes

1 and near-crashes. And they miss important information on  
2 the roadway in front of them, and they are unable to handle  
3 the situation as it unfolds.

4 Those types of tasks where the driver's eyes are  
5 typically on the forward roadway, we see performance  
6 decrements, we see speed variance, we see a wide variety  
7 of different things, but what we do not see is that increase  
8 in crash and near-crash risk. So it is the types of  
9 multitasking that require the driver's eyes and hands  
10 sometimes to be off the forward roadway, off the driving  
11 task, those are the tasks that increase risks the most.

12 BOARD MEMBER SUMWALT: And the very end of  
13 that, the last sentence was what? I didn't hear that.

14 DR. KLAUER: I'm sorry. Those types of tasks  
15 that require the driver's eyes and/or the hands to be off  
16 the forward roadway, those are the types of multitasking  
17 that increase risk the most, whereas those other tasks that  
18 are just like very simple, one button press, one simple eye  
19 off road time, those types of things are less risky.

20 BOARD MEMBER SUMWALT: So how does this relate  
21 to, say, I think everybody in here would agree that texting  
22 while trying to operate a vehicle can be deadly because it  
23 does indeed take the visual attention away from the task  
24 at hand.

25 DR. KLAUER: Absolutely, yes.

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1 BOARD MEMBER SUMWALT: What I'm wondering  
2 about is the cognitive distraction. So we'll go to Dr.  
3 Strayer. Your thoughts on that? And you did some  
4 research for the AAA Foundation, I think.

5 DR. STRAYER: That's correct. So I mean,  
6 without a doubt taking your eyes off the road is something  
7 that's going to be, or eyes of wherever you're trying to  
8 fly or navigate a boat is going to be a problem. But what  
9 we know is that attention is limited in capacity. It is  
10 the problem; they're the bottlenecks in terms of  
11 multitasking that really are causing the problems. And so  
12 cognitive distraction, when your attention is trying to be  
13 split between two or more activities, results in  
14 performance decrements, and that has been established for  
15 probably 50 to maybe even 70 years, starting in aviation  
16 with a lot of pilot distraction and then just being extended  
17 and extrapolated to the kinds of distractions that are in  
18 the vehicle. So we find that cognitive distraction can be  
19 every bit as troublesome as eyes off the road.

20 BOARD MEMBER SUMWALT: And personally, I  
21 believe after reading some literature, reading your  
22 studies, I believe that multitasking -- I think that  
23 there's -- okay we will talk about that because I think we  
24 are right. I think we are coming to the idea that  
25 multitasking is a myth. Dr. Casner, I want to hear what

1 you have got to say about it, but as a pilot, you know we  
2 pick up the microphone and talk to ATC; we do that all day  
3 long. So why pilots can do it and a person can't do it  
4 in a car?

5 DR. CASNER: A pilot can't do it. That is the  
6 bottom line. My colleague, Jonathan Schooler, and I have  
7 been looking more closely -- I will just get closer.

8 BOARD MEMBER SUMWALT: That is an ice cream  
9 cone, and try and just eat it. Put your mouth right there.

10 DR. CASNER: I should know better.

11 (Laughter.)

12 My colleague, Jonathan Schooler, and I have  
13 taken a closer look at this idea of cognitive distraction  
14 and considered what we call task-unrelated thought or  
15 mind-wandering, sometimes we'll call it zoning out, but the  
16 bottom line of this research is that eyes do not equal  
17 minds. If my eyes are pointed at something, it does not  
18 mean that my mind is, that I can be looking at one thing  
19 and thinking about something entirely different, and we get  
20 what we're calling perceptual disengagement, that the mind  
21 and the brain -- the clutch pedal is pushed in, they are  
22 just not connected anymore. And even if we are looking out  
23 the window, we do not see that. We are seeing the same  
24 thing among airline pilots who are missing required  
25 monitoring callouts, when they're looking directly at the

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1 instrument they are supposed to be monitoring.

2 BOARD MEMBER SUMWALT: In about five minutes,  
3 we are going to open it up to you. So be ready for that.  
4 But, Dr. Klauer, would you like to add anything to where  
5 we are in the discussions?

6 DR. KLAUER: Yes. So what we find in a lot of  
7 our research and in a lot of our data are that the visual  
8 information in the roadway in front of us is very important  
9 and it's very key, and most drivers are able to obtain that  
10 critical information nearly all of the time. When engaging  
11 in very complex cognitive types of distraction, we do see  
12 very severe performance decrements as well. But the  
13 biggest part of the distraction issue and the biggest place  
14 where I think we can make the biggest gains are maintaining  
15 the driver's eyes and hands on the wheel and the eyes on  
16 the forward roadway.

17 BOARD MEMBER SUMWALT: I hear what you're  
18 saying, but I happen to be a believer in the cognitive  
19 distraction because I've heard people that have said, you  
20 know, somebody, I will be in my office and somebody will  
21 call me, they are driving a car. I do not drive and talk  
22 on my phone. I do not do that. That is our policy, and  
23 I abide by it, but people will call me and they are on their  
24 phone and they're having a conversation and all of a sudden,  
25 they will say, oh, my God, I just missed my exit. Well they

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1 drive this route every day. How could they do that? So  
2 why does that happen? Is the cognitive distraction a real  
3 phenomenon?

4 DR. KLAUER: Absolutely, cognitive  
5 distraction is real, it exists. We are currently doing  
6 several additional analyses looking into cognitive  
7 distraction in our naturalistic data. And we have done  
8 other analyses as well, and we see it. We see the  
9 performance decrements. We know it exists. And I believe  
10 that there are moments in time when it is extremely  
11 detrimental. But I guess our perspective and my  
12 perspective is that to make really big gains in this  
13 distraction problem initially, we should focus on eyes off  
14 road time and hands on wheel time, and then we can also deal  
15 with cognitive distraction as we move forward.

16 BOARD MEMBER SUMWALT: So I think you said to  
17 tackle the problem, we need to focus on hands on the wheel  
18 and eyes on the road, is that what you said? But I'm going  
19 to contend, and I am not a researcher, but I am a safety  
20 advocate, I'm going to contend we've got to add one  
21 additional thing to that, and that is mind on the road.  
22 And, Dr. Strayer, you're shaking your head or nodding your  
23 head? Tell me about that and then Dr. Casner, and then we  
24 will open it up.

25 DR. STRAYER: No, actually to be honest, the

1 cognitive sources of distraction are actually quite  
2 severe. It turns out actually one of the biggest sources  
3 we have actually seen is the act of speaking tends to use  
4 some of the same circuits that are involved for being able  
5 to navigate through space. And so you get kind of a  
6 conflict between the two. We are seeing remarkably  
7 surprising levels of distraction when people are speaking,  
8 that it just is something where flying a plane, driving a  
9 car, operating a boat, and talking, you're going to get  
10 conflict between those different sources. The workload  
11 associated with that mental distraction is extremely high.

12 BOARD MEMBER SUMWALT: So the neural  
13 processing is different. I think there is concurrent  
14 processing, there's serial processing. I went to my  
15 literature review I did for a masters and was reading about  
16 that this morning, and so I fell asleep during that, but  
17 no, can you tell us a little bit about that?

18 DR. STRAYER: Well one of the things that we  
19 have been working with is some psycholinguists to try to  
20 understand something about why the brain has trouble trying  
21 to multitask. One of the things that happens is some of  
22 the same neural circuits that are involved in being able  
23 to craft speech are used for spatial navigation. And so  
24 you get what's called code conflict, specific kind of  
25 interference where the neural parts of the brain are trying

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1 to do two things at the same time and we have heard before,  
2 frankly, you know, you can do one or the other, but if you  
3 try and do both, you're going to drop some things. That  
4 is really what happens is our brains aren't wired to  
5 multitask and in particular speech, when you're trying to  
6 couple that with other kinds of things that involve  
7 navigation, it doesn't go well. It works for walking, too.  
8 You'll see people who walk right off a train platform as  
9 well as navigate their car some place they don't desire.

10 BOARD MEMBER SUMWALT: Yes, so we fool  
11 ourselves into thinking that we can multitask because our  
12 brain is switching back and forth, perhaps rapidly, between  
13 two or more activities. Is that right?

14 DR. STRAYER: That's correct.

15 BOARD MEMBER SUMWALT: And so, Dr. Casner?

16 DR. CASNER: Yes, this idea of cognitive  
17 distraction I think is the hardest thing to sell to the  
18 public. They simply have a hard time appreciating this  
19 phenomenon. I think that is why we are having a hard time  
20 convincing people that it is not just pushing the buttons  
21 on your smart phone when you're texting. That is one  
22 thing, but also the thinking process of formulating what  
23 you're going to say, just processing the language or  
24 processing your own thoughts, is just as distracting, and  
25 that is why it simply does not help to put your smart phone

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1 up here on the dashboard and type. That is your fingers.  
2 Your mind is also occupied. You need your mind to drive  
3 and fly.

4 BOARD MEMBER SUMWALT: One of the first  
5 accidents that I was involved in in deliberating right up  
6 here on the dais as a new board member, 8.5 years ago, was  
7 an accident that occurred, this was a tour bus that was  
8 taking a group of high school students down to Mount Vernon.  
9 Mount Vernon Parkway is a beautiful roadway, but it has  
10 arched bridges that go back to the late '20s and early '30s,  
11 and they're beautiful stone bridges. But the fact that  
12 they are arched means they are lower on one end than the  
13 other. There are signs marking that hey, guess what, on  
14 the curb lane, it is a 10 foot, 2 inch clearance, and on  
15 the middle lane, it's about a 13 foot 2 inch clearance. So  
16 if you were a bus, you would be watching for those signs,  
17 right?

18 This guy tooled right underneath the lower part  
19 of the bridge and sheered the top of the bridge off. He  
20 survived, as did everyone else in the bus, but it  
21 was -- severe injuries for the occupants of the bus. We  
22 asked him, did you not see the signs warning of the lower  
23 bridge clearance. He said not only did I not see the signs;  
24 I never even saw the bridge until after I hit it. Guess  
25 what? He was involved in a hands-free telephone call.

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1 Why did that happen?

2           So what we will do, we'll go to David Teater with  
3 the National Safety Council who -- actually, I -- there is  
4 a good document that's been produced by your shop, David,  
5 on the cognitive distractions. So can you enlighten us on  
6 to the cognitive aspects?

7           MR. TEATER: Well, I hope so. And thank you  
8 for hosting this today. You know, one of the reasons we  
9 focus so much on the cognitive aspect is because that is  
10 the part of distraction that most people do not understand.  
11 We know when we are physically or visually distracted. And  
12 as a result, it does not last as long, potentially. Back  
13 in the days before I got involved in this and used to talk  
14 on the phone, I would be on a long trip and I might be on  
15 the phone for an hour and a half. I was only looking at the  
16 keyboard and dialing for maybe 30 seconds of that time. So  
17 people do not understand it, and it lasts longer.

18           When we talk about what causes crashes from  
19 distraction, there's two components. There's risk, which  
20 is what we all seem to focus on. But then there is exposure  
21 to risk. And cognitive distraction may or may not be as  
22 great as visual distraction. Probably not. David can  
23 comment on that better than I can, but it lasts a lot longer.  
24 So if you have got the choice of being exposed to somebody  
25 who's texting, but you're only exposed to them for let's

1 say 20 seconds of the drive, but you're exposed to people  
2 who are talking and cognitively distracted for an hour of  
3 the drive, you are much more likely to get in a crash caused  
4 by somebody talking. So when you consider risk prevalence  
5 into this, it kind of changes the whole ballgame.

6 BOARD MEMBER SUMWALT: Great. Thank you so  
7 much. The National Safety Council's published a document  
8 that even I can understand. And I've quoted it. It's a  
9 good document.

10 So, thank you for your work there. Let's open  
11 it up to the floor. Great. Debbie Pickford.

12 MS. PICKFORD: I'd be curious to hear from the  
13 researchers. It's interesting to me, we talk about -- you  
14 were talking about how this idea of cognitive distraction  
15 is hard to sell to the public.

16 And I'll tell you, I would like to hear your  
17 views on -- I know I've had these conversations with my  
18 colleagues, my friends, my family, and they say to me,  
19 what's the difference between sitting in a car and you're  
20 driving, talking to the passenger next you, versus talking  
21 on the phone.

22 And I think because that question comes up so  
23 much that might be part of the cognitive distraction issue  
24 with the public.

25 BOARD MEMBER SUMWALT: Steve, jump on it.

1 DR. CASNER: Yes. When you're talking to  
2 someone in the car, you're operating in a shared space.  
3 You have the same information.

4 You're both seeing the same thing out the  
5 window. When I say, oops, what is going on? The passenger  
6 who I'm talking to is experiencing the same thing.

7 It's much easier to manage. And if you look at  
8 the literature, we just do better when we're talking to  
9 someone in the car.

10 Although, there is a price to be paid for even  
11 doing that of course.

12 BOARD MEMBER SUMWALT: I think I asked that  
13 very question during our -- when we had a forum on that.  
14 And I think I asked the question to you. And I think your  
15 answer was, occupants of the car can both be a distraction,  
16 and they can be an aide.

17 So, I'd like to hear your comments on that. And  
18 then we'll go to Sandy.

19 DR. STRAYER: Yes. I think there's some  
20 research that says for an adult driver, not for -- just the  
21 opposite for a teen driver. But for an adult driver, one  
22 front seat passenger might be a protective effect.

23 But, you know, there's one other really  
24 important thing about this, passengers -- transporting  
25 passengers as part of the driving task that's what we have

1 cars for. Okay?

2 Checking a blind spot is part of the driving  
3 task. Updating Facebook, catching up with mom on the  
4 phone, have nothing to do with the task of driving.

5 And most researchers believe north of 90  
6 percent of all crashes are caused by driver error. And  
7 We're still killing 35 thousand people a year.

8 So why would we want to introduce a bunch of  
9 things that have nothing to do with the task of driving,  
10 when driving in and of itself is already distracting.

11 BOARD MEMBER SUMWALT: Beautiful point.  
12 Sandy?

13 MS. SPAVONE: Member Sumwalt, I'm going to a  
14 different point. Are you okay with that?

15 BOARD MEMBER SUMWALT: You may. You may.  
16 Would anybody else like to talk about that? About that  
17 point that we just introduced? About I talk to people in  
18 the car all the time, how does that differ from electronic  
19 distractions?

20 (No response)

21 BOARD MEMBER SUMWALT: Okay. Great, Sandy?

22 MS. SPAVONE: I would like to discuss just a  
23 little bit about teens of course, because that's our world  
24 and what we live in. And for youth today, both in the  
25 classroom and in every part of their lives, if you look at

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1 their computers, they would never just have one piece up.

2 So, to tell them that they can't multitask, is  
3 life altering. Because they do it whether they're playing  
4 a game, while they're doing their homework, and listening  
5 to music, and working on a word document, and doing a  
6 PowerPoint.

7 It's all happening at the same time for them.  
8 So to get them to put down that world that they live in,  
9 of multitasking, is very challenging when you're moving  
10 into the car.

11 Now, we believe the only safe use of a phone for  
12 anyone is no use behind the wheel. There is no safe use  
13 of the phone, no matter what that might be.

14 We also try to make it similar to some of their  
15 other activities. On the basketball court, they would never  
16 have an earbud on while they're driving to make a basket.

17 So, making it relate to some of their everyday  
18 activities, I think is important for us. But, I get your  
19 point about the wins. That maybe we could make some big  
20 win of not texting and doing the hand use.

21 I understand that piece. But, I think as we  
22 talk about this, I'd like to hear some of the other  
23 conversation lend itself to, to that generation that we all  
24 share the roads with.

25 And we may all be doing the right thing. But

1 we have a new generation coming in. And I know State Farm  
2 has Celebrate my Drive. AT&T has It Can Wait, which has  
3 really been a great opportunity for our youth to engage in  
4 it.

5 But with the research that you have, to our  
6 teens research is like Charlie Brown's teacher. And so we  
7 have to relate that then to their making a difference in  
8 their behavior. And we feel a piece of that is engaging  
9 the youth.

10 So, I am curious with the research that you've  
11 done, if it had involved teens? And if you've used that?  
12 And how you've been able to incorporate that into changing  
13 teens' behavior as well?

14 DR. KLAUER: Okay, thank you. Thank you that  
15 was a great question.

16 So, I have done several studies looking at  
17 novice teen drivers. We have done a series of three  
18 naturalistic driving studies where we've looked at 16 and  
19 17 year old drivers, and watched them drive for their first  
20 18 months.

21 And we've analyzed that data and learned a lot  
22 about how teens drive. And how they learn to drive in that  
23 first 18 months.

24 One of the things that we found were that many  
25 of these types of distractions that we're talking about,

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1 not only wireless device use, but eating, external  
2 distractions, reading other objects, things like that,  
3 increase risk for our novice drivers. Much more so than  
4 it does for experienced drivers.

5 We're unsure why it is so much riskier for teens  
6 to do these things, except that perhaps just the general  
7 inexperience. But also perhaps, their selection and their  
8 willingness to engage at various moments in time.

9 We think they're probably opting to engage in  
10 these types of tasks at very, very unsafe times. So, more  
11 research is really needed.

12 But what we really need to do is try to educate.  
13 Use positive peer pressure. Use parent-teen driving  
14 contracts, to really help improve driving safety for these  
15 teens. And reiterate the importance of eyes on road, hands  
16 on wheel.

17 DR. STRAYER: So, if I could kind have follow  
18 up on that. So, one of the problems you have with teens  
19 is they're always thinking they're the generation that can  
20 multitask.

21 And we were all the people that just couldn't.  
22 We were single taskers. But basically, when we look at  
23 their brains, even if they're playing video games, you  
24 know, 10 hours a day, they are functionally the same as --  
25 in terms of the limitations.

1           With a couple of caveats. Teens, their frontal  
2 cortex, the parts of the brain that are the decision making  
3 in terms of multitasking, are underdeveloped.

4           So, they're more at risk to begin within terms  
5 of being able to be captured by impulsive type -- or kind  
6 of stimulating kinds of activities, like talking on the  
7 phone, or doing all the kinds of things that are the  
8 distractions in a vehicle.

9           Coupled with the fact that they don't have the  
10 expertise to be able to drive. And so, you basically  
11 really have a couple of false beliefs that they can  
12 multitask with neural hardware not developed. With the  
13 fact that they haven't learned the skills that would  
14 actually make them be a safer driver.

15           BOARD MEMBER SUMWALT: Great. Thanks..  
16 Harold, you've got something. And I've just looked at my  
17 notes.

18           If you would, when you grab the mic, introduce  
19 yourself and state who you're with again. Even though your  
20 name tag says that. I'm just doing what Nicholas told me.

21           MR. FEININGER: Yes. It says Harold. But I'm  
22 Chip Feininger. I'm Norfolk Southern Railroad.

23           And, I guess what my question is, is, this --  
24 first of all, I happen to agree with you. You know, let's  
25 focus on the low hanging fruit.

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1 Any place we can start to eliminate accidents  
2 and injuries, even if we can't eliminate them all, we need  
3 to go get that low hanging fruit immediately. But, we grew  
4 up in a culture, most of us grew up in a culture where  
5 multitasking was part of those people that are successful.

6 Are we teaching our children from an early age  
7 that in order for them to be successful that they have to  
8 multitask? That otherwise they're not going to measure  
9 up to certain levels, certain standards that we've set for  
10 them.

11 And that's kind of what I -- that's what I'm kind  
12 of interested in knowing.

13 BOARD MEMBER SUMWALT: Anybody any -- well,  
14 anybody have any thoughts on that? Jennifer?

15 MS. SMITH: What I'm getting from each of you  
16 is the cognitive distraction is real. It does exist. The  
17 level of how dangerous it is, is where the difference is.

18 And I understand the focus on the low hanging  
19 fruit. But what about the lives that are being lost while  
20 this technology is continuing to progress? And we're not  
21 focusing on the middle of the tree hanging fruit. And  
22 there's lives being destroyed because of that.

23 And because we're only focusing on that texting  
24 aspect, more and more technology is evolving and being put  
25 into drivers' hands. And how do we stop that cycle?

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1 DR. CASNER: I'd love to respond to this.

2 BOARD MEMBER SUMWALT: Steve Casner?

3 DR. CASNER: This is a really disturbing thing.  
4 Because you look at the technology in our hands and also  
5 in the car, I think we're aiming at a moving target.

6 So, for example, we're a couple of months away  
7 from having highway pilots in cars. We're going to allow  
8 -- which will allow us to take our attention away for longer  
9 periods of time.

10 Meanwhile, we have handheld interfaces that  
11 present us with more elaborate and engaging things. Now,  
12 could I read a book while, you know, using this?

13 This is no longer a matter of just popping off  
14 a comment or a Tweet. I'm just fully, mentally engaged in  
15 a very absorbing task.

16 So, this is where this is headed.

17 BOARD MEMBER SUMWALT: So, with the answer  
18 there to make sure that whatever we are doing with  
19 autonomous cars, to make sure that it's human-centered  
20 automation. And that the human is still operating the  
21 vehicle.

22 And if the vehicle -- if the person tries to take  
23 it outside of that envelope, the human -- the vehicle would  
24 then come and intervene?

25 DR. CASNER: The problem is the autopilot

1 button is going to be there. And that autopilot is going  
2 to work really, really well for long periods of time as it  
3 does in airplanes.

4 And, you know, what's the return on my  
5 investment in attention for something that's probably  
6 going to work for the next 10 hours?

7 DR. STRAYER: Can I -- one of the other problems  
8 is that what automation is doing is it's solving the easier  
9 problems. And a harder problem is basically going to say,  
10 I don't have a solution to that. It's now your turn.

11 And what we're going to do is we're going to  
12 create a problem for the driver where they now instead of  
13 controlling the car, they're going to have to monitor the  
14 car to make sure that it actually doesn't fail. So, we as  
15 humans don't monitor situations like that very well.

16 So, it's a potential for, you know, some serious  
17 kind of problems where people are out of the loop.

18 BOARD MEMBER SUMWALT: Right. Adrian Lund  
19 wants to comment on that.

20 DR. LUND: I'm not sure whether this is a  
21 comment. But I want to go back to the -- I'm supposed to  
22 introduce myself. Right? I've already forgotten what  
23 I'm supposed to do.

24 Adrian Lund with the Insurance Institute for  
25 Highway Safety. Earlier, Dr. Casner mentioned the issue

1 of mind wandering. We've also done some research with  
2 Virginia Tech which indicates that when you get people to  
3 put down their cell phones, they don't necessarily take  
4 their attention back to the road.

5 And Dr. Casner, you're probably as familiar as  
6 I am with the research from MIT. I'm not sure how much I  
7 trust it because it was done with cell phones somehow.

8 But, the finding was that half the time that  
9 we're doing anything, we're actually thinking about  
10 something else. That's a lot of cognitive distraction.

11 So, when we're talking about this cognitive  
12 distraction, I think we need to be concerned about whatever  
13 we do, to get the drivers to change their behavior. Are  
14 we actually increasing their attention to the road?

15 How do we make sure that cognitive attention  
16 comes to the road and not to something else?

17 BOARD MEMBER SUMWALT: So how do we do that?

18 DR. LUND: We go ahead and answer that?

19 (Laughter)

20 BOARD MEMBER SUMWALT: Absolutely.

21 DR. LUND: Well, we know we have, I think, some  
22 strategies. Some of the crash of what is technologies that  
23 are being developed now.

24 Take the distracted driver as kind of a given.  
25 And say that what we're going to try to do is to have

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1 technology monitor what's going on.

2 And bring the attention back to the road,  
3 hopefully, in time to do something about it. I think the  
4 other thing though, we'd all like to see people paying more  
5 attention all the time.

6 And one of the things we need to think about is  
7 how do we make the driving space, the road, have more queues  
8 for drivers when they're in control? Now this is in -- this  
9 has got a problem with automated driving.

10 But, you know, I'm interested in the fact that  
11 we know that use of cell phones goes down when people are  
12 going through roundabouts. You can't be doing something  
13 else while you're transmit -- going through a roundabout.

14 I'm reminded that in this country, we used to  
15 have drive on the right lane unless -- and use the left only  
16 to pass. It still exists in some places in Europe. But  
17 we now just stay in our lane.

18 This is actually much -- makes it much easier  
19 just to tune out. Because you're not paying attention to  
20 the other traffic as much.

21 So, I think we can do two things. One is we can  
22 try to capture the attention when people have gotten  
23 themselves in trouble through crash avoidance technology

24 And the other is, we can look at the driving  
25 environment itself, and ask how we can structure it so that

1 people pay more attention.

2 DR. ATCHLEY: If I might comment on that. Paul  
3 Atchley, University of Kansas.

4 And touch on something Sandy brought up and Chip  
5 brought up. There is nothing more interesting to the human  
6 brain than other people.

7 I don't care how you design your vehicle or your  
8 roadways. If you have technologies in the vehicle that  
9 allow you to be social, your brain will not be able to ignore  
10 them.

11 There's only like two things we love, Serotonin  
12 and Dopamine. The two reward chemicals that come along with  
13 all those other things that make us feel good.

14 And there's really noting more rewarding to us  
15 than the opportunity to talk to someone else. If you're  
16 a parent, you know this. Because if you want to talk to  
17 your kids, you have to send them a text to get them up to  
18 dinner.

19 If we create vehicles that have in them the  
20 opportunity for our brains to access that thing that it  
21 loves more than anything else, there is no way we can design  
22 a vehicle or a roadway to overcome that.

23 BOARD MEMBER SUMWALT: And that's fascinating.  
24 And that segues into something that I want to ask Andrea  
25 Brands about.

1           Andrea, when you were in my office a couple of  
2 months ago, you told me about some work that you all had  
3 done with Dr. David Greenfield at the University Of  
4 Connecticut School Of Medicine. Talking about how it's an  
5 addictive behavior to reply to that text or to pick up that  
6 telephone.

7           So, tell us a little bit about that.

8           MS. BRANDS: Yes, I don't know that it would  
9 surprise too many people in this room. But we did do a  
10 survey with Dr. Greenfield last year, and determined that  
11 three out of four people admitted to checking their email  
12 or their text or, you know, social media when they were  
13 driving in the car.

14           And what's even -- what resonated with me was  
15 that 90 percent of them rationalized that behavior. Which  
16 is a true sign of addiction.

17           BOARD MEMBER SUMWALT: Fascinating. Bill?

18           MR. WINDSOR: I'm Bill Windsor with  
19 Nationwide. And I wanted to get back and ask a little bit  
20 about the research going forward.

21           So, you know, clearly everybody understands  
22 that taking your hands off the wheel, or eyes off the road,  
23 is dangerous. And I don't think we need a lot more research  
24 to tell us that.

25           I think the question is whether just the fact

1 your eyes are forward, doesn't necessarily mean you're  
2 seeing what's in front of the road. So this whole idea of  
3 cognitive distraction really gets into whether, you know,  
4 whether or not your eyes are forward, but you're really  
5 seeing what's in front of the road.

6 So, I guess my question is, so far the research  
7 that's been done has really come up with different  
8 conclusions about the crash risk from cognitive  
9 distraction. Some of the research has indicated little or  
10 no increase in crash risk. Where obviously simulator  
11 research has indicated a significant increase in crash  
12 risks.

13 So, why have the different types of research  
14 come up with different conclusions on cognitive  
15 distraction crash risk? And what do we need to do in the  
16 future to really get a definitive answer of what the  
17 increase in crash risk from cognitive distraction?

18 Because before -- or until we get some agreement  
19 around the research that's put out there, it would be hard  
20 to convince the general public that talking on their cell  
21 phone or doing whatever in the car that could be cognitive  
22 distraction is something that they should address.

23 DR. STRAYER: I mean, I'll start with this. I  
24 mean, it's not just simulator-based studies. There's  
25 actually a large number of different ways of looking at

1 cognitive distraction.

2 And we're looking at distraction from simulator  
3 to instrumented vehicles, observational studies, and  
4 epidemiological studies. There was a study that was just  
5 released by AAA last week that looked and found that talking  
6 to a passenger or talking or interacting with a cell phone  
7 was two of the largest sources of crashes with teens.

8 So, I think we can study and carefully look and  
9 measure cognitive distractions in controlled  
10 environments. It's more difficult to do that in the  
11 naturalistic kinds of studies.

12 Because in many situations, the methodologies  
13 are just kind of in a sense incommensurate with trying to  
14 do a naturalistic study where you just let someone drive  
15 and just watch what they're doing. Where is their mind  
16 when they're driving? You can't tell for sure.

17 DR. KLAUER: I think also, some of the things  
18 that the results are showing are that yes, the things --  
19 the tasks that take the eyes and the hands off the forward  
20 roadway, those are the things that we are able to measure.  
21 A very significant increase in crashes.

22 Things like talking to a passenger or talking  
23 on a cell phone, or other things like that, we -- as I said  
24 before, we do see performance decrements.

25 Which are very similar to what is found in

1 simulators. Which is very similar to what is found in test  
2 tracks and instrumented vehicle studies?

3           However, what we don't see are -- those types  
4 of things that are translating into higher crash rates. We  
5 also believe that cognitive distraction is much more  
6 difficult to measure in the naturalistic environment. That  
7 is true.

8           But, Dr. Lund's point in that when we take --  
9 when we know that drivers aren't engaging in other  
10 secondary tasks, we can't always be sure what they're  
11 doing.

12           And they are mind wandering. And they are  
13 doing other things. And is their attention on the forward  
14 roadway? We don't know.

15           So, that exposure component is really a very  
16 important component to add to this. Where we can measure  
17 what drivers are doing across the board for millions of  
18 vehicle miles traveled.

19           And we need to make sure that we're -- we're  
20 measuring -- we need to make sure that we have our  
21 denominator and the exposure measured as well. So that we  
22 can understand what drivers are doing normally? And what  
23 is actually contributing to crashes and air crashes.

24           BOARD MEMBER SUMWALT: Joel?

25           MR. FELDMAN: Yes. Joel Feldman, ENDT.org and

1 Distracted Driving. I go out with my network and I talk  
2 to kids.

3 I talk to probably your children and other  
4 children of the parents who are listening to this. So, I  
5 want to get back to what we can do in terms of teaching kids  
6 that there is something real about a cognitive distraction.

7 But I guess before I do that, I just wanted to  
8 just say out loud, I know we probably have another section  
9 that is going to address this. But, I just question, you  
10 know, what kind of a society we are with 35 thousand people  
11 that are killed.

12 And we allow our car manufacturers to put these  
13 things into vehicles without testing whether or not they're  
14 safe before doing so. I'm also an attorney and I know that  
15 because we allow manufacturers to do this without testing  
16 it, without seeing if it's safe, I and probably other people  
17 are going to have a lot of business from it.

18 And it's a pretty sad commentary that it has to  
19 be the attorneys who bring people's focus onto  
20 dangerousness in the vehicles and the cars.

21 But, want to back to this. I know that Dave  
22 Teater in his presentations, and our group in our  
23 presentations, we have to address cognitive distractions.  
24 We use a Toyota video, The Distracted Mind. It talks about  
25 inattention blindness.

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1                   We used Dr. Just's slide from Carnegie Mellon.  
2 Talking about the roughly 40 percent drops off in brain  
3 function when you have a cell phone conversation transport  
4 Canada.

5                   What types of things would you say we can use  
6 when we're out there in the field, and we're talking to  
7 people about this, to help demonstrate to them that  
8 cognitive distraction is real? Anybody?

9                   BOARD MEMBER SUMWALT: It's a great question.  
10 And I want to -- because we had a comment out here. Do we  
11 have anybody, the comment about automobile manufacturers  
12 putting technology in without being tested.

13                   Do we have anybody here from the manufacturers  
14 right now? I think we were supposed to have somebody.

15                   I hear what you're saying. And is there  
16 anybody here from the manufacturers?

17                   (No response)

18                   BOARD MEMBER SUMWALT: So -- okay, good.  
19 Well, then -- so, to your question about the cognitive  
20 distraction, who is going to answer that?

21                   DR. CASNER: I want to ask a question of my  
22 colleague here to the left. What effect would it have to  
23 put people through an experiment like -- that you conduct  
24 in your lab?

25                   Where you actually walk in believing that

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1 cognitive distraction is not such a big thing. And then  
2 you basically show them differently, when it is time to  
3 drive?

4 DR. STRAYER: We'd like to believe that if you  
5 put them in a study and let them have some of the troubles  
6 they might experience if they were talking on a cell phone  
7 that it would change their awareness. It doesn't.

8 It does just the opposite. So, we just did a  
9 study where we had one group of people who drove through  
10 the simulator without talking on a cell phone, and they  
11 judged how safe they were.

12 The more mistakes they made, the less safe they  
13 judged their driving. Another group we had talking on a  
14 cell phone, doing the same drive. When they judged it, the  
15 more mistakes they made, the safer they said they were.  
16 It's just the opposite.

17 So, what happens is, your own ability to monitor  
18 your behavior goes out the window when you're multitasking.  
19 So, unfortunately, it's not an easy thing to be able to show  
20 people that they're distracted. Because they're just not  
21 monitoring their own behavior.

22 BOARD MEMBER SUMWALT: Thanks. The reason I  
23 asked that question, if we have anybody from the  
24 manufacturers, we want to make sure we're having a balanced  
25 conversation.

1 I've been -- I visited with some of the  
2 manufacturers years ago. And they, you know, they will say  
3 that they are -- they were testing this.

4 But, I'll let you litigate that in court. But,  
5 --

6 MR. FELDMAN: Well, I'd prefer not to litigated  
7 it in court. That's the kind of business I don't need.

8 And I don't really practice law that much any  
9 more anyway. I do this.

10 But, I actually was in Boston, and I actually  
11 saw Paul do something, it just reminded me with a kid in  
12 the audience, you know, in terms of one through ten, and  
13 A through J. Maybe you could explain that.

14 And maybe somebody else, what do you do when  
15 you're out there and you're talking to people, so that they  
16 say yes, this cognitive distraction stuff is real. I need  
17 to pay attention to it? Or moms and dads, I need to talk  
18 to my kids about it?

19 DR. ATCHLEY: Do you want to do a demo with me  
20 Member Sumwalt? Do you mind?

21 Do you want to do a multitasking demo? You seem  
22 highly capable. Do you mind helping us out with it?

23 BOARD MEMBER SUMWALT: I'm not capable at all.

24 DR. ATCHLEY: Okay. Do you want to pick on  
25 someone who is capable?

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1 BOARD MEMBER SUMWALT: Yes. Pick on Mike  
2 Brown.

3 DR. ATCHLEY: All right, Mike. Here we go.  
4 (Laughter)

5 DR. ATCHLEY: All right, I'm going to pick on  
6 Mike for a second. We'll do a multitasking demo. It's  
7 very short.

8 I assume since you're here on the hill, you know  
9 how to count, and you can recite the alphabet. Correct?

10 MR. BROWN: Barely.

11 DR. ATCHLEY: Barely. Okay. Fantastic.

12 Well, I'm going to have you do a multitasking demo for us.  
13 You're asking, what can we do to actually convince kids that  
14 they can't multitask? Or at least get them to think about  
15 it?

16 When I say go, and I'll time you, and your  
17 baseline is a 19 year old college student. I'm going to  
18 have you recite the alphabet to the letter J, as quickly  
19 and clearly as possible. And then count from one to ten.

20 And I'll see how long it takes you to do that.  
21 Are you ready?

22 MR. BROWN: Yes.

23 DR. ATCHLEY: Go.

24 MR. BROWN: (Recites alphabets and numbers)

25 DR. ATCHLEY: Five seconds. You're like a 19

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1 year old actually. That is fantastic.

2 Now what I want you to do, is I want you to the  
3 multitasking version. And this gets us to the idea of  
4 being able to do multiple things at the same time.

5 I will have you do exactly the same thing. Time  
6 you again. I would like you to simply switch between a  
7 letter and then a number, and then a letter and then a  
8 number.

9 So, A, 1, B, 2, C, 3, et cetera. Are you ready?

10 MR. BROWN: I can give it a shot.

11 DR. ATCHLEY: Okay. Go.

12 MR. BROWN: (Recites letters and numbers)

13 DR. ATCHLEY: All right. Thanks for being a  
14 good sport. The only difference between those two tasks  
15 is one is switching. And the other is doing two tasks in  
16 succession.

17 And when you have to switch and you have to  
18 access prefrontal cortex, and remember the rules, and  
19 figure out where you were in that previous situation, it's  
20 difficult. And even a teenager can't do it.

21 The real trick with education is really trying  
22 to figure out what are these ways to demonstrate to people  
23 that their brain isn't quite as good as they think it is.  
24 And it's not.

25 BOARD MEMBER SUMWALT: Mike, since I put you

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1 through that, you've had your hand up. And so --

2 MR. BROWN: Well, thank you, Member. Actually  
3 and my turn a little later maybe?

4 BOARD MEMBER SUMWALT: Yes. Absolutely it is.

5 MR. BROWN: You know, one thing that I think is  
6 kind of interesting in listening to the discussion, is  
7 clearly there's different methodologies to look at, and  
8 different research questions to look at this whole issue.  
9 But, one thing that my take away, and the take away I think  
10 of a number of us, is that first of all, we recognize that  
11 there is distraction.

12 And distraction can take several forms.  
13 Clearly, if you take your eyes off the road, or if you've  
14 got something you're manipulating in a car. Or you're  
15 doing something, eating a hamburger, or whatever the case  
16 may be.

17 And you're not paying attention to what you're  
18 supposed to be focused on, which is the operation of a  
19 vehicle, or for that matter the operation of an aircraft.  
20 The operation of a, you know, a train, whatever the case  
21 may be. Then that's an issue.

22 And we can all acknowledge that that's a  
23 problem. Now, the question is, you know, to what degree  
24 is that a problem? How do you develop the intervention to  
25 deal with that?

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1                   And one of the things that we wrestled with, and  
2 I know we're going to talk about this a little later. And  
3 I won't get into great detail.

4                   But, the real thing going forward, is trying to  
5 develop interventions that work. And frankly, technology  
6 is but one. There's others that are out there as well.

7                   But, what's interesting to me is exactly what  
8 you presented, is how do we get to the various target  
9 audiences as it applies to the use of technology? And  
10 those vary by technology.

11                   I mean, I will say for example, we did some focus  
12 groups with different folks early on in terms of trying to  
13 deal with messaging. And the message that worked for a 50  
14 year old who, you know, can put down their cell phone and  
15 a 19 year old who it's imbedded in their hand, is vastly  
16 different.

17                   And, you know, these folks don't believe that  
18 there isn't such a thing as multitasking. And Sandy kind  
19 of spoke to that earlier.

20                   So, I think instead of debating whether or not  
21 it should be a naturalistic study, and a research study.  
22 Or we should focus on one thing or the other. The real  
23 question is, do we acknowledge that there is a problem and  
24 we need to learn more about it, absolutely

25                   The real question going forward is, how do you

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1 develop public policy and interventions, to address the  
2 issue? And it's not just technology.

3 It's everything where someone's attention is  
4 taken away from the task of operating a vehicle, whether  
5 it's a plane, train or automobile.

6 BOARD MEMBER SUMWALT: Fantastic. So, I'm  
7 curious, how many people -- I want to see a raise of hands.  
8 How many people have questions or would like to say more  
9 on this panel?

10 Raise your hand so I can see. Raise them high.  
11 So, see all those? That tells me that we're doing  
12 something right. Or maybe we're doing something wrong

13 We are out of time. But, you know what? This  
14 is good. We want a spirited debate. We don't want dead  
15 air. We wanted people to have good conversations.

16 And the good thing is, a great conversation.  
17 Thank you all for leading off. We're now going to switch  
18 to our next panel.

19 And I think during lunchtime and during the  
20 breaks there's going to be a lot of discussion. But, at the  
21 end of the day, I don't want too just -- I want these  
22 thoughts. I want to pull them together and see if we can  
23 consolidate them and figure out what the future looks like.

24 But, thank you all for that one. Let's switch  
25 now to our next panel, which is the technol -- which is

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1 technology and engineering. So, joining us for the brief  
2 discussion, for the elevator speech, will be Dr. Grabowski,  
3 Director of Research at the AAA Foundation, Dave Wilson,  
4 Vice President for Technology and Standards with the  
5 Consumer Electronics Association, and Jake Nelson,  
6 Director of Traffic Safety Advocacy and Research for AAA.

7 I want to thank you all for being with us. I  
8 know that AAA has just released last week, a study that you  
9 sponsored.

10 So, Dr. Grabowski, tell us a little bit about  
11 that.

12 DR. GRABOWSKI: Sure. We were motivated by  
13 this particular study, because when we looked at the crash  
14 statistics, we always felt that they were underestimating  
15 the true number of crashes that were occurring.

16 And that probably had to do because when police  
17 officers approached a crash, let's say a single vehicle  
18 crash with only one occupant in the middle of the night,  
19 how can they determine if that particular occupant was  
20 drowsy? Or was talking on a cell phone? Especially if it  
21 was a fatal crash.

22 And so, this particular study decided to take  
23 that element out of it. And look at specific naturalistic  
24 data that was collected through drive cams

25 And basically what we -- for teen drivers. And

1 these were teens that were involved in an insurance program  
2 where they had a camera monitoring. And every time they  
3 hit a particular G-force, it recorded the six seconds  
4 before that event, and six seconds afterward.

5 And the researchers that we partnered up with  
6 at the University of Iowa, found out that driver  
7 inattention, or engaging in some other non-driving related  
8 tasks, occurred in about 50 percent of the crashes.

9 BOARD MEMBER SUMWALT: Fifty-eight percent in  
10 teen drivers.

11 DR. GRABOWSKI: Right. Correct. And  
12 comparing that to the national statistics that were out  
13 there that's compared to 14 that they're reporting. So,  
14 that's about four times more than we previously thought.

15 BOARD MEMBER SUMWALT: Okay. That's  
16 fascinating. So, in your study of teen drivers, 58 percent  
17 were distracted.

18 DR. GRABOWSKI: Right. And the two number --  
19 the two biggest factors were passengers and cell phones.

20 BOARD MEMBER SUMWALT: And so the point is, is  
21 that when we say 58 percent engage -- were distracted,  
22 that's not all electronic distractions.

23 DR. GRABOWSKI: No.

24 BOARD MEMBER SUMWALT: In fat what percentage  
25 was -- I think it was about 16 percent were from other

1 passengers? Fourteen to 16 percent?

2 DR. GRABOWSKI: Yes. I believe that the  
3 number was that passengers were present in about 36 percent  
4 of all the crashes. And the driver was engaged in cell  
5 phone conversations about 12 percent of crashes.

6 BOARD MEMBER SUMWALT: Twelve percent. Good.  
7 Thank you.

8 So David, how would you like to start out?

9 MR. WILSON: Sure. We at the Consumer  
10 Electronics Association, little over a year ago, took a  
11 look at this issue.

12 We, you know, realized that, you know,  
13 distracted driving is something that's really serious. An  
14 issue that we need to address as a society.

15 And we created a working group in our Technology  
16 and Standards Department to try to, you know, see what is  
17 the issue? What are -- is going on to address it in the  
18 marketplace in terms of technology?

19 And you know, and maybe, you know, what should  
20 we be doing? And what the conclusion of this work led us  
21 to believe, I mean, what all of our research led us to  
22 believe of the new data that we could find out there, is  
23 that first of all, you know, distraction is a big issue.

24 As we've already heard extensively this  
25 morning, distraction comes in many different forms. And

1 it seems like the very largest form of distraction is people  
2 who are simply, you know, lost in thought or distracted by  
3 other, you know, things outside the vehicle or other  
4 people.

5 And that -- and those cell phone distractions  
6 are, you know, a small but significant percentage of the  
7 total number of all distractions. And so, you know, in  
8 looking at all this together, thinking of distraction, all  
9 of the different types of distractions together, we -- our  
10 report came to the conclusion that what we really need to  
11 do is focus on the driver.

12 We need technology that can help focus on the  
13 driver. And help the driver keep their eyes on the road,  
14 keep their hands on the wheel, and try to make sure the  
15 driver's attention is also, you know, on the road ahead

16 Now there is products out there, products in  
17 development that aim to do that, you know, with cameras that  
18 monitor, you know, where the driver's head is, where the  
19 driver's eyes are. And also that can sense, you know,  
20 whether the driver is gripping the wheel or not.

21 I mean, we all know that technology is available  
22 because all our -- all of the cell phones that were -- or  
23 most of the cell phones we're talking about now a days, you  
24 just touch them to, you know, to use them.

25 So clearly, there's technology to touch -- to

1 recognize a human touch and take action accordingly, is out  
2 there. So, that's kind of the conclude that we came to.

3 Is that what we really need to do is focus on  
4 the driver. Because that's the crux of the problem. We  
5 need to -- and try to alter the driver's behavior through  
6 education, through technology and so forth.

7 BOARD MEMBER SUMWALT: Yes, and to be clear, I  
8 want to make the point that I'm not against technology. And  
9 nor are we at the NTSB.

10 In fact we advocate certain technologies to  
11 improve transportation safety. So, you know, we remember  
12 the days of trying to pull out the AAA map and figure out  
13 where we are going. And certain, if we have a GPS or  
14 something, that increases the -- it increases our ability  
15 to keep our eyes on the road.

16 I was with a friend last weekend; he's watching  
17 via webcast, his car memorizes the driver's behavior. And  
18 if the driver starts to do something that is outside of that  
19 behavior, the car will sort of send him a wake up message  
20 there.

21 So, technology can be a very good thing. But  
22 we -- but again, I think we all recognize that it can have  
23 a potential downside. And we want to make sure we're  
24 managing that downside.

25 Jake, what's up?

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1 MR. NELSON: Thank you very much.

2 BOARD MEMBER SUMWALT: You broke it.

3 MR. NELSON: That moment technology fails.

4 That was a good segue for me actually. Because you know,  
5 our job at AAA is to take the research that the AAA  
6 Foundation conducts.

7 And apply it to the real world. And in the case  
8 of the work that the Foundation did with Doctors Strayer  
9 and Cooper at the University of Utah, you know, we thought  
10 a lot about how we wanted to approach that application.

11 And we made the decision very early on that we  
12 were not interested in stifling innovation. That we  
13 welcome the introduction of technology to the vehicle.

14 And that the conversation we wanted to have was  
15 more about how can we address what we should be able to do  
16 with that technology while the vehicle is in motion? And  
17 then when we are interacting with that technology while  
18 also driving, how can we address the way in which it's  
19 designed to make it less demanding on the driver?

20 And so while we appreciate there is benefit to  
21 focusing on reducing visual and manual elements of  
22 distracted driving, we don't think that we should address  
23 those first without also addressing cognitive distraction.

24 And our conversations that we've had with the  
25 OEMs and with the developers of consumer electronics

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1 products, we've learned that there are varying levels of  
2 commitment and investment into testing of those products  
3 for how demanding they are on drivers who use them while  
4 also operating a motor vehicle.

5 We learned that even before the research  
6 published by the AAA Foundation and promoted by AAA that  
7 began to shine a little light on what it was about the way  
8 in which people interact with technology that makes it  
9 demanding mentally on drivers.

10 That there are already examples of members of  
11 industry, Toyota would be one that I would share, that had  
12 already invested a lot of resources into that type of  
13 testing to make their products as -- to minimize the  
14 cognitive demands that they introduce to the driver.

15 So, we're going to continue to have those  
16 conversations. We think that through design, technology  
17 can be less demanding on drivers.

18 And we think that there's a very important  
19 conversation that needs to be had with the industry about  
20 what technology should allow drivers to do to begin with,  
21 while the vehicle is in motion, versus when that vehicle  
22 is parked.

23 BOARD MEMBER SUMWALT: Fantastic. Would  
24 anybody else like to comment on that within the panel here?

25 MR. WILSON: I'll just comment that, I mean, I

1 think that's pretty compatible with the conclusions, you  
2 know, that we came to. That we really need to focus on the  
3 driver and what the driver's behavior is.

4 And that would include, you know, if you're  
5 installing something, some kind of technology that's  
6 accessible to the driver in the dashboard, you know, during  
7 the driving activity that you want it to be something  
8 that's, you know, clearly safe. Or that's not going to be  
9 too distracting to the driver.

10 BOARD MEMBER SUMWALT: Great. Thanks. Dr.  
11 Grabowski?

12 DR. GRABOWSKI: So, a study that we did about  
13 a year or so ago with the researchers at MIT, we wanted to  
14 evaluate and rate the effectiveness of several safety  
15 technologies that were out. And four of them actually have  
16 something to do with distracted drivers.

17 And those include things like adaptive cruise  
18 control and forward collision mitigation, forward  
19 collision monitoring. Those can all help the distracted  
20 driver.

21 But, some general conclusions that we found is  
22 that, you know, all technologies have limitations. All  
23 the sensors that feed information to those technologies  
24 have limitations.

25 And then drivers have limitations as they

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1 interact with those technologies. And a quick example  
2 that I keep talking about, I was driving a car that had a  
3 lane departure warning system. And I was on an on-ramp  
4 onto an interstate.

5 The technology worked perfectly. It went off  
6 because I was taking a pretty steep curve. And there were  
7 no cars ahead of me, but when the warning light and the  
8 shaking of the steering wheel went off; my eyes went  
9 directly from the road down to the warning light.

10 And I was trying to figure out what I was doing.  
11 And I realized that's not what I should be doing. My eyes  
12 should be on the road, and specifically in this very  
13 dangerous driving situation.

14 And so those unintended consequences that are  
15 introduced into the car cockpit should be an issue that  
16 needs to be addressed.

17 BOARD MEMBER SUMWALT: Thanks. I'd sure like  
18 to hear a little bit more about the study the AAA reduced  
19 -- released last week.

20 Is there anything that you'd like to -- some of  
21 the findings or recommendations?

22 MR. NELSON: Well Eric covered the findings of  
23 the study. We viewed the results of that study as an  
24 opportunity to one, remind the public that as much  
25 attention is focused on distracted driving, it is very

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1 important that still teen passengers in the car, at least  
2 for the teen driver, is a big deal.

3 And that we need too in States where passenger  
4 restrictions needed to be, you know, passed or enforced.  
5 That we dedicate the time and resources as advocates  
6 pursuing that.

7 But then also to remember that, you know, the  
8 traditional forms of distraction that we like to talk a lot  
9 about in the media are also still important. So, complete  
10 wireless bans for teens. And also, teen passenger  
11 restrictions were sort of the implications for us at AAA,  
12 based on that study last week.

13 BOARD MEMBER SUMWALT: Great. Thanks. Why  
14 don't we open it up to the floor? Jennifer?

15 MS. SMITH: Hi, Jennifer Smith. Stop  
16 Distractions. On the testing you did with the teens, I  
17 hear the number of cell phone distractions was only, you  
18 know, under 15 percent or 12 percent, is what you said

19 Did you do that in States where it was already  
20 teen cell phone use was banned? So maybe that's why that  
21 distraction number was so much lower than some of us may  
22 think it would be, because they're already somewhat  
23 conditioned to know they're breaking the law.

24 DR. GRABOWSKI: That number was actually  
25 higher than official statistics. And so that's something

1 that, you know, we wanted to -- that was surprising about  
2 this particular study.

3 MS. SMITH: Yes. I'm meaning statistics that  
4 those of us that watch the crash reports that know those  
5 are all very low.

6 DR. GRABOWSKI: Yes. Those -- the official  
7 police reports are definitely underestimated. When we  
8 look at what the teens actually do in the car, it's about  
9 four times more than the official to statistics out there.

10 BOARD MEMBER SUMWALT: Now I'm sorry to cut you  
11 off.

12 DR. GRABOWSKI: Okay.

13 BOARD MEMBER SUMWALT: So I want to capture  
14 that point. That your research and you've said this twice  
15 now, your research has shown that the crash reports  
16 collected by the police are under reporting by a factor of  
17 about four.

18 And is that correct?

19 DR. GRABOWSKI: Correct.

20 BOARD MEMBER SUMWALT: And the NTSB has gone on  
21 record. We've issued recommendations that the crash  
22 report documents that are collected by the police should  
23 have specific places to prompt for that information.

24 And it's one of these things that if you're not  
25 specifically looking for it, you probably won't find it.

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1 Do you agree?

2 DR. GRABOWSKI: Correct. But, you know,  
3 drivers tend not to tell the truth sometimes when being  
4 investigated by police officers. So, there's a little  
5 issue about that.

6 Also, in a single vehicle crash, in which  
7 there's only one driver, and a police enforcement officer  
8 has to make a determination, they don't have evidence.

9 They don't know. They don't have any  
10 witnesses. It's very hard for them to go and say yes, this  
11 was a drowsy driver. Or yes, this person was interacting  
12 with a passenger. Or yes, this person was on a phone.

13 So, until they have concrete evidence, they  
14 probably won't put it in a report.

15 BOARD MEMBER SUMWALT: And as -- and because of  
16 that, we at the NTSB, it's our practice on every, on every  
17 investigation that we do, we now routinely subpoena cell  
18 phone records and anything like that.

19 David Teater?

20 MR. TEATER: Yes, a question for the panel.  
21 First of all, a quick story.

22 I was going to a presentation in the southeast  
23 last summer. I had an hour drive each way in a rental car.  
24 So I was in the car for two hours.

25 There was a local car dealer running a radio ad

1 for 30 seconds that didn't talk about -- I will not mention  
2 the manufacturer or brand, but it was for a specific brand  
3 of car.

4 They didn't say it was a great car, got great  
5 gas mileage; it was fun to drive, none of that. The only  
6 thing they talked about for 30 seconds was you should come  
7 buy this car because you can do speech to text in it.

8 And I was shocked by that. I just -- you know,  
9 and especially since I'd just seen a couple of studies, one  
10 of the one that AAA did with Dr. Strayer that said that maybe  
11 the cognitive load in speech to text is even greater than  
12 that of manual texting.

13 What about -- and with the National Safety  
14 Council, we work with a lot of employers who have policies  
15 that prevent their people, or prohibit their people from  
16 using phones while driving.

17 What about the auto industry maybe in  
18 conjunction with the consumer electronics industry, giving  
19 employers and parents of novice drivers that may be  
20 addicted to texting, the ability to turn off some of that?  
21 Does that not make sense?

22 Wouldn't it be easy to do that? For me to put  
23 in a parent override that says, you know, I don't want my  
24 child doing speech to text while driving this particular  
25 vehicle? What you all think of that as a possibility?

1 MR. WILSON: Well, I think that -- first -- most  
2 consumer electronics devices, you know, have a switch. So  
3 the person, you know, operating it can turn it off.

4 And I think it's true, at least in the cellular  
5 service systems that I'm familiar with, that I think it's  
6 generally true that there usually is the ability for a  
7 parent, you know, who's controlling the various phones  
8 under a particular service provider's plans, to control the  
9 features that are available to them, you know, to the  
10 children in the family.

11 And so I --

12 MR. TEATER: While they're driving?

13 MR. WILSON: Well, they could -- I don't know  
14 about while they are driving. But just in general, you  
15 know, period.

16 And in some cases I know that, you know,  
17 companies have developed apps to help, you know, control  
18 what's go -- you know, drive mode types of apps and so forth,  
19 that do address what's going on during the driving task.

20 I'm not sure if that can be controlled, you  
21 know, by a parent through the inter -- you know, through  
22 the account or not. Maybe Jeff can enlighten us.

23 MR. MENDEZ: Sure. It's something AT&T in  
24 conjunction with the It Can Wait Campaign has for years  
25 offered its drive mode application for all devices that

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1 allows policy control to be implemented on the device.

2 And part of that in terms of measuring behavior  
3 of teen drivers in particular. It allows reporting at  
4 least so that a parent can be notified if the teen disables  
5 the application.

6 There are always sort of technology limitations  
7 to policy controls. But it does provide a significant  
8 incentive to, you know, comply with principal guidance, as  
9 well as to suppress notifications so that you don't have  
10 the response to the addiction that Andrea mentioned  
11 earlier, to respond to text or other communications.

12 So, that's something we've been, you know,  
13 pushing aggressively. We've had a significant amount of  
14 adoption of that application over the past few years.

15 And it's just one of several technology  
16 approaches that are, I think, useful to help curbing, you  
17 know, all drivers' usage, particularly teens.

18 It does provide some controls within the family  
19 for that. And it's available on multiple platforms and  
20 multiple carriers.

21 And there are other similar offerings out there  
22 from other providers as well. So, its one tool in the  
23 toolbox that can help address, you know, one set of the  
24 problem there.

25 BOARD MEMBER SUMWALT: Jake, real quickly.

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1 MR. NELSON: Okay. Dave, I would say as  
2 somebody who travels a lot for my job, and as someone who's  
3 familiar with the body of research in this area, I would  
4 support giving as many choices as possible to consumers to  
5 address this issue.

6 Not just for teens. But even for myself. As  
7 somebody who can struggle just to tune the radio using  
8 infotainment systems sometimes in my rental car. So,  
9 thank you.

10 BOARD MEMBER SUMWALT: So we want to have a  
11 multi-modal conversation. And I'd like to ask Willie  
12 Bates to talk about the railroad perspective of what  
13 they've done in the wake of the rail accident out at  
14 Chatsworth.

15 What's the rail industry doing for locomotive  
16 engineers and conductors?

17 MR. BATES: Okay. We -- it was issued from the  
18 FRA emerging on the 28th that there will be absolutely no  
19 use of personal -- use of cell phones. Your cell phone must  
20 be off and stowed away.

21 And even in some railroads they have a, what  
22 they have a detector on the locomotive engine that will  
23 detect whether or not a cell phone is either on. So, that's  
24 just purely, it's pretty simplistic what they have in  
25 place.

1 But, it's still a challenge. Because, with all  
2 the older guys are retiring that wasn't that proficient in  
3 the use of cell phones, we have a new generation coming in.

4 That we're hiring new people. And they are  
5 dependent on their cell phone. And what I have to do, or  
6 the industry has to do, is tell those young people that  
7 using a cell phone, their personal cell phone while on duty  
8 is not permissible.

9 And it's a challenge in that aspect that you  
10 still -- if you can get a majority of the workers to do that,  
11 you've got it. You're not going to get 100 percent.

12 Even though in your mind you want 100 percent,  
13 unless you have a -- I've been on a lot of NTSB  
14 investigations, and of course the first thing that you ask  
15 is to pull the cell phone records.

16 And you never want to come into a circumstance  
17 with a cell phone having been used ever since the Chatsworth  
18 incident. And it's still a challenge in order to have that  
19 new generation coming in.

20 The new railroad employee that outside of the  
21 railroad, they tweet and they have all kind of social media  
22 that they use.

23 So -- but, the only times you can use your  
24 personal cell phone, is in case of emergency.

25 BOARD MEMBER SUMWALT: And I think Chatsworth

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1 is not the only accident that we've seen. I think a couple  
2 of years ago we had Two Harbors, Minnesota, where we found  
3 text use of cell phones.

4 Even after Emergency Order 28 came out.

5 MR. BATES: Right.

6 BOARD MEMBER SUMWALT: So, you're right, it  
7 continues to be a challenge. Mike, you've had your hand  
8 raised. And I want to come over to you.

9 And then we've got -- as usual, we're getting  
10 lots of interest.

11 MR. BROWN: Well, thank you. You know, the  
12 multi-modal approach to this issue is in fact a multi-modal  
13 approach. The Secretary of Transportation has created  
14 within DOT, kind of a think tank that goes through this  
15 thing so we can learn from one another.

16 And there are a lot of similarities between the  
17 different modes. We have the Maritime Administrations,  
18 Air, Federal Motor Carrier is in the room, FAA and the like.  
19 And then of course ourselves.

20 The issue with technology is complicated for  
21 all of them. But more so, I think, in some cases for the  
22 on highway piece.

23 Because there's so many different variables,  
24 and so many differences between the type of transportation  
25 and the people who operate. Whether it be a truck,

1 commercial carrier, whether they're operating under an  
2 interstate commerce or not.

3 But, when we look at the technology, there's a  
4 considerable amount of aggressive -- it's not necessarily  
5 aggressive, but fast-paced development in technology.  
6 And so, we've tried to categorize that technology to some  
7 extent so that we can kind of understand it.

8 As we have in our strategic plan at NHTSA, we  
9 recognize the difference of nomadic technology that enters  
10 into the compartment of the vehicle. And that's vastly  
11 different.

12 And there are a lot of different applications  
13 that can be applied, and that are being discussed in terms  
14 of what that can and can't do. And the impact it has or  
15 doesn't have.

16 The other thing that's been discussed here, is  
17 the issue of in-vehicle technology. In other words, it's  
18 onboard, in place, integral to the vehicle itself.

19 And that presents a lot of challenges. And  
20 that's also rapidly developing within the industry. Both  
21 the electronics industry, but also within the auto  
22 industry.

23 And so that is something we have to consider as  
24 well. We also acknowledge that there's something we need  
25 to kind of consider in terms of the type of technology.

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1           The technology isn't all intervention. As  
2 Adrian pointed out earlier, there's collision avoidance  
3 technology, which, you know, is in the vehicle, or will be  
4 in the vehicle to some degree or another.

5           We've tried to categorize automated vehicles or  
6 at least vehicle control functions in a multi-function  
7 process. We have four levels. It's debatable whether  
8 you want four or seven. There are disputes over that.

9           But, the fact of the matter is, we often say  
10 there's a technological fix. And there is technology that  
11 can help.

12           We understand that we're testing that.  
13 Various industries are testing that. The hard part is  
14 keeping up with it.

15           And then the other part is measuring the  
16 expectations. As was mentioned earlier by Joel, you know,  
17 it's about exposure and everything else.

18           Even if we were to have technology in a fix  
19 today, and we were able to convert all the vehicles on the  
20 road to do that, given the millions of vehicles that are  
21 out there, and the way vehicles turn over, it would be  
22 decades before we'd do that. To us that's an unacceptable  
23 exposure.

24           And so that's why we have come up with some  
25 things we know, the low hanging fruit that at least are

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1 moving the issue and trying to change things. But we also  
2 recognize there's a lot to do.

3 And if I could just quickly comment. I agree  
4 Dr. Grabowski, the issue about data collection is an issue  
5 for us as well.

6 The officers who complete the investigation  
7 report are asked to make an interpretive effort of what they  
8 observe on the scene. And that interpretation has to also  
9 be supported by some observation that they could stand up  
10 and support in a deposition, before a court, and that's a  
11 legal instrument that they're preparing.

12 So, we have masking and unreporting in a lot of  
13 different factors and a lot of different issues that we  
14 would be very interested in. One of which is in  
15 distraction.

16 So, the numbers that we report out, we know  
17 they're low. Because there's a lot of other things that  
18 go into the making of that determination.

19 And in fact, if they follow the -- what we call  
20 the MUK, which is the Model Uniform Reporting Guidance that  
21 we offer, that's one of the factors that they're supposed  
22 to ask. But they may not report it for the reasons I  
23 mentioned before.

24 BOARD MEMBER SUMWALT: Mike, thank you. You  
25 mentioned some low hanging fruit. I'm on the first floor,

1 I'm only going to the fourth floor.

2 Give me the elevator speech for the low hanging  
3 fruit.

4 MR. BROWN: Well, as mentioned here, when we  
5 were talking earlier about the research and the  
6 acknowledgment of certain things, I mean, clearly if you  
7 take your eyes off the road that's a problem.

8 I mean, if you can't see what's happening in  
9 front of you, then I think most of us at face value recognize  
10 that we've got a problem there. Because if you can't see  
11 something, you can't react to it, you're not going to  
12 recognize it in the light.

13 So, certain things that have come up, where  
14 they're easy, that we know that are there, are things like  
15 texting, and you know, hands-free operations and different  
16 policy levels that are there.

17 We use in many cases education to try and change  
18 behavior. That's something we've talked about in an  
19 earlier thing. It's very difficult to do at times.

20 But the other piece is what we call a high  
21 visibility enforcement model. But, you can only do that  
22 when you've got a law that you can actually enforce.

23 And that makes it very difficult for the  
24 officers and others to do. So, it's not just one silver  
25 bullet in this case. We need to do a lot of different

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1 interventions to try and move forward.

2 BOARD MEMBER SUMWALT: Thank you very much.  
3 So, Joel?

4 MR. FELDMAN: Yes. Just a real quick question  
5 for the panel. Do you differentiate at all between  
6 technologies added to the cars that are necessary for the  
7 operation of the car?

8 You know, perhaps a GPS or something else?  
9 Versus technology that's a convenience in terms of Facebook  
10 or texting?

11 MR. NELSON: We have at AAA. And we've also  
12 had conversations internally around the use of voice  
13 commands in infotainment systems that might be appropriate  
14 if they're very brief. And they're used to control the  
15 vehicle control panel itself.

16 Tuning the radio, adjusting the temperature,  
17 really brief things like that. Versus composing a  
18 message, interacting with social media, the things that  
19 aren't really related to the primary task of driving.

20 BOARD MEMBER SUMWALT: Thank you. Jeff Taylor  
21 from NOAA.

22 LCD TAYLOR: So, Mr. Bates, one of the things  
23 that you said, I noticed a couple of times when you gave  
24 your presentation, you mentioned personal cell phones.  
25 Have you addressed the business phones and the distractions

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1 that are caused by those calls that come in for whoever is  
2 operating the machinery from the actual company?

3 MR. BATES: That's still a project in motion.  
4 On Amtrak, where I am employed, we have an EMD device that  
5 you can communicate. It's just there's a method there of  
6 collecting tickets or whatever.

7 And you can receive certain information from  
8 that machine. But, doing any critical safety sensitive  
9 function, that EMD machine is set to the side.

10 So you have to prioritize. Like I agree with  
11 the earlier panelists about you have to have experience in  
12 prioritizing what you're doing at the time. What is the most  
13 important?

14 What is the most -- say it's a sense of function.  
15 The EMD machine or the cell phone, someone calling you is  
16 the least of your concerns at the time.

17 So, we try to get a hierarchy of priorities when  
18 it comes to using the phone for any reason. And especially  
19 when you have work orders, or speed restrictions, or any  
20 other thing that's affecting the movement of the train.

21 Everything else is blocked out. And then, you  
22 can go back to using that phone or if someone tried to call  
23 you for, you know, from your manager or whatever.

24 BOARD MEMBER SUMWALT: It kind of goes back to  
25 something that David said a little while ago. Those

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1 business related calls are for a specific purpose.

2 MR. BATES: Right.

3 BOARD MEMBER SUMWALT: They're there for the  
4 purpose of moving the train or conducting business.  
5 Whereas personal phone calls, they don't need to happen at  
6 all. Or personal text messages.

7 So, okay. Adrian Lund?

8 MR. LUND: Yes. Thank you, Member Sumwalt. I  
9 just wanted to come back to something that Dr. Grabowski  
10 said.

11 And he was pointing out that we need to be  
12 careful about some of this crash avoidance technology.  
13 You know, I talked about it. This is a hopeful sign that  
14 we can do things to bring people's past attention back

15 But he talked about lane departure warning.  
16 And in fact the data are consistent with what he's observing  
17 antidotally in himself. That is, we're not seeing  
18 benefits from lane departure warning. We're not seeing  
19 crash reductions.

20 And I think it's very important when we talk  
21 about how we're going to deal with this problem that we stay  
22 focused on outcome measures. You know, are we reducing  
23 crashes?

24 And in the case of lane departure warning, I  
25 agree, we are not seeing that yet.

1 BOARD MEMBER SUMWALT: You're not seeing what  
2 exactly again?

3 MR. LUND: We're not seeing lane departure  
4 warning reducing crashes.

5 BOARD MEMBER SUMWALT: Interesting.  
6 Fascinating. Since the NTSB has recommended that, that's  
7 interesting.

8 Captain Perin?

9 CAPT. PERIN: Just on the note from introducing  
10 new technology. Now, in the airline business, we  
11 introduce new technology, we get training on that  
12 technology.

13 When you go buy a car that has lane departure  
14 warnings, you drive it off the lot. You get no training  
15 on that. What that indication's telling you. How it's  
16 going to give it to you, other than if you read the manual  
17 or watch some videos on it on your own.

18 There's no mandatory training on any of this new  
19 technology that we're getting, which is probably why we're  
20 not seeing as big of a benefit on it. People don't know what  
21 the warning is actually telling them until they've seen it  
22 three, four, five times.

23 And then it starts to register with them that  
24 this is what the warning gives them.

25 BOARD MEMBER SUMWALT: Fascinating.

1 Jennifer, you had comments.

2 MS. SMITH: I want to get back to the voice  
3 technology research. Because all of the research I have  
4 read comes to the same general conclusion that it's not  
5 ready yet.

6 It's not safe yet. And I even was at a  
7 presentation at Lifesavers that IIHS did on their study,  
8 and I was impressed that the study, I mean at the end they  
9 even said, you know, this stuff is not ready yet. It's not  
10 exactly safe.

11 But then I go and I look at how it's listed for  
12 the general public to read. And it says push to talk; using  
13 voice commands can reduce visual distraction.

14 Well yes, but you have to read further into that  
15 to see that -- but the cognitive workload is raised. And  
16 the people said it was hard to use. And they were driving  
17 -- it was difficult to use.

18 And so, I don't understand how we are promoting  
19 this technology when all of the research being done is  
20 showing it's not ready yet, but it's in the cars. And we  
21 are advertising it.

22 So, I'm at a disconnect on how it's the next big  
23 thing.

24 DR. GRABOWSKI: I agree. I think that the  
25 concept of cognitive distraction is relatively new.

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1           Or I should specify, the concept of measuring  
2 cognitive distraction is relatively new. And we're  
3 looking at Dave Strayer is here, and I he was a pioneer in  
4 really bring that forward.

5           But, I think it's something that the research  
6 has to be, you know, thought about a lot more. And then  
7 also merged not only the cognitive side, but how does that  
8 interact with the visual side and the manual side?

9           MS. SMITH: On the visual, I think that's the  
10 thing also. You know, everyone keeps saying eyes on the  
11 road. If your brain is not processing what you're looking  
12 at, then I don't see how that is such an important thing.

13           Because we're advertising hands on the wheel,  
14 eyes on the road, but we're leaving out that last part when  
15 we're advertising it. And that's leading to the big  
16 misconception.

17           BOARD MEMBER SUMWALT: I think Dr. Lund  
18 mentioned something earlier. Is that just because people  
19 aren't doing anything else, it doesn't tell you where their  
20 mind is.

21           Even if they're not texting or talking on the  
22 cell phone. Even if they're looking straight ahead that  
23 doesn't necessarily tell you where their mind is.

24           Did you say something along those lines?

25           DR. LUND: Yes. Precisely that. I think, you

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1 know, we're talking about getting people to put down their  
2 cell phones. But the question is, what do they pick up?

3 And is that better or worse than what they were  
4 doing? We have to be careful as to what we expect to happen  
5 with that.

6 We know these special enforcement programs have  
7 gotten people to put down cell phones. But when we --  
8 again, when we look at crashes, at least as measured in  
9 insurance claims, we don't see reductions in those crashes  
10 as a result of that.

11 So, we know we need to do more. People are  
12 crashing because they're distracted. But the question is,  
13 how do you get them to pay attention to the road?

14 It's more than just getting them to stop doing  
15 something that you're noticing now.

16 BOARD MEMBER SUMWALT: Dr. Klauer?

17 DR. KLAUER: Yes. So, I'd like to go back to  
18 a couple points about programs and technology to improve  
19 teen driving safety.

20 There have been several OEM systems in that are  
21 purchasable that are moving towards allowing parents to not  
22 only monitor their teen's behavior. But also, making sure  
23 that they're not using their cell phones as much. And  
24 they're protecting their teens in their early -- those  
25 early years of driving.

1           So OEM sys -- there are some OEM systems on the  
2 market. There's also some insurance companies who have  
3 developed similar programs that do similar things

4           But another concept that I don't think has been  
5 brought up yet, is the idea of monitoring and feedback.  
6 And these systems have shown great promise in a wide variety  
7 of areas.

8           Not only commercial vehicles, but also teen  
9 drivers. Where, if we're able to provide real-time and  
10 post talk feedback with oversight, we do see very important  
11 improvements in driving performance and driving safety.

12           BOARD MEMBER SUMWALT: Thanks. I see lots of  
13 hands. I'm going to start calling on people who we haven't  
14 heard from yet.

15           Chris Mullein?

16           MS. MULLEIN: Chris MULLEIN, State Farm. I'm  
17 glad that the direction this took. Because I wanted to  
18 make a comment on the technology overall.

19           We've done surveys for the last six years on  
20 technology and watched it evolve. And watched the type of  
21 technology evolve.

22           Evolve from cell phones to smart phones. And  
23 also the self-reported usage evolves from different tasks.  
24 When they were texting versus using smart phones versus  
25 updating things. To try to get at some of these gaps we

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1 also funded an expert panel of which Dr. Klauer and Dr.  
2 Strayer were members, to try to understand what more gaps  
3 are.

4 And one of the things that were identified was  
5 the thing that Dr. Lund referenced. Crash rates have not  
6 gone up even though mobile devices have become more and more  
7 pervasive.

8 And getting at that dichotomy brings us back to  
9 the driver. Why are they choosing to do what they do when  
10 they do it?

11 You know, are they self-regulating? Are they  
12 choosing to switch between different tasks? And if it's  
13 not a certain device or the newest device, what have they  
14 replaced it with?

15 So, it gets back to some of the things that  
16 Charlie was saying of can we try to understand, what are  
17 -- they are doing with their time? With this extra  
18 bandwidth that they believe they have?

19 And then how do we incent them to do the safer  
20 thing? To re-engage in the drive. How do we design  
21 interventions that can get at in incenting them to behave  
22 more safely? Or get back to things that they should be  
23 doing, despite what they may think they're capable of  
24 doing?

25 BOARD MEMBER SUMWALT: Did you say the crash

1 rates have not gone up with the introduction of personal  
2 electronic devices?

3 MS. MULLINS: We haven't seen, there's that  
4 dichotomy that we haven't seen crash rates change, to Dr.  
5 Lund's point.

6 BOARD MEMBER SUMWALT: That's an interesting  
7 point. But yes, we are investigating accidents at the  
8 NTSB, where we do see that the technology has played a role  
9 --

10 MS. MULLINS: Oh, no doubt.

11 BOARD MEMBER SUMWALT: In the crash.

12 MS. MULLINS: No doubt. And I should have  
13 prefaced by saying of course, to the points that have  
14 already been made about texting and eyes on the road, hands  
15 on the wheel. A lot of comments over there.

16 BOARD MEMBER SUMWALT: Great point.

17 MS. MULLINS: So, to those points, texting has  
18 had a role to play. And here are low hanging fruit that  
19 we can achieve. But, we need to get at this dichotomy of  
20 what else is being done with their time?

21 BOARD MEMBER SUMWALT: Jack Hanley?

22 MR. HANLEY: I want to make a comment or two on  
23 behalf of employers. This is the role that technology has  
24 with safe driving among employers.

25 And think for a minute, please if you would,

1 about the millions of drivers out there driving leased or  
2 rented vehicles. Think of a sales rep on behalf of a  
3 pharmaceutical company, okay

4 That particular driver has a collision, who  
5 gets sued? Well, it's going to be the pharmaceutical  
6 company and not the -- and not the driver's personal estate.

7 So, here's -- what I think is that technology  
8 has a role in a comprehensive and integrated approach to  
9 road safety. And very, very quickly, if you look at the  
10 more enlightened employers, they're going to have a safety  
11 culture.

12 The NTSB has had a conversation about safety  
13 culture, a year or two ago, as I recall. They're going to  
14 for their employees, have -- their driving employees,  
15 business employees. They're going to have a set of  
16 policies.

17 These policies need to be enforced. There's  
18 going to be training on behalf of these drivers. And  
19 there's going to be embedded in the vehicles technology

20 The smarter ones are buying the technology that  
21 saves you from yourself. Others are embedding technology  
22 that monitors behaviors.

23 And so what happens here is that you end up with  
24 the ability to identify high-risk drivers. And you can  
25 have interventions on behalf of high-risk drivers.

1           And if they improve, you let them drive. And  
2 if they don't, you terminate them. My point in all of this  
3 is that it's comprehensive, it's integrated, and for  
4 employers, technology is but one part of a successful  
5 approach.

6           BOARD MEMBER SUMWALT: And that's certainly  
7 what we'll be talking about after lunch when we talk about  
8 corporate policy and regulation. So, a great tee up for  
9 that.

10           I'd like to come to Dana Schrad.

11           MS. SCHRAD: Dana Schrad, the Virginia Police  
12 Chiefs. This seems to be such a carrot and a stick issue.  
13 Because while at the same time we are making ways to improve  
14 technology in our vehicles to accommodate this  
15 communications oriented society, this -- something we  
16 can't seem to step away from

17           Because the whole issue of distraction is a  
18 global behavioral problem. It goes beyond just driving.  
19 It goes to every single thing we do.

20           And getting back to something that Chip said  
21 earlier, what are we teaching our kids about multitasking  
22 as being sort of a positive skill? We do multitask  
23 successfully in much more basic activities.

24           I can fold clothes and cook -- make a cake at  
25 the same time, right? Because those don't require my

1 constant, you know, high-level brain activity.

2 But now that we are starting to see that all of  
3 these technologies that we're putting into vehicles to  
4 allow us to stay engaged are actually creating  
5 distractions. Now we have to find a way to sort of  
6 backpedal, you know, what we've now told our citizens.

7 Hey, look at these great technologies you can  
8 use in your car to stay, you know, connected. Yet we don't  
9 really want you to do that.

10 The problem we have in law enforcement is no  
11 matter what the distraction is; we can't write a ticket for  
12 unfocused brainwave activity. And that's -- that really  
13 comes right down to the challenge for law enforcement that  
14 I know we'll get into later.

15 BOARD MEMBER SUMWALT: Wonderful. Thank you  
16 so much. Debbie Pickford?

17 MS. PICKFORD: Thank you. Debbie Pickford,  
18 Allstate Insurance Company.

19 Charlie, I'm interested in what you were saying  
20 about self-reported monitoring. And it's interesting, a  
21 lot of people in this room are now developed, or have  
22 developed mobile apps or applications in cars that people  
23 can actually see what their driving behavior is.

24 So, for example, at Allstate, we have something  
25 called Drive Wise. It's a mobile app, or it can be

1 installed in your car.

2 It's interesting in talking to our customers or  
3 employees that are using it; they're surprised at what  
4 they're seeing from that recording. They didn't know they  
5 were speeding. They weren't aware of hard breaking.

6 They're not sure; you know what time they're  
7 driving. We have not cracked the code on distracted  
8 driving with those kinds of apps. It would be interesting  
9 to see how you could weave in cognitive or distraction.

10 But, I think the baseline is people are starting  
11 to pay more attention to what they're doing in the car. So,  
12 it's kind of a driving self-awareness, if you will.

13 BOARD MEMBER SUMWALT: Debbie, I have one of  
14 those tools that tell me how my driving is. And it's my  
15 wife.

16 (Laughter)

17 BOARD MEMBER SUMWALT: So I'll tell you what  
18 I'm going to do, and she's usually right.

19 We in just a moment will take a break. But I  
20 want to introduce Sean Dalton. Sean, if you'll stand.

21 Sean, there's only one of me, but there will be  
22 two of us. Because, you know, we're two -- we're through  
23 two of the tracks right now.

24 So, we want to make, if necessary, mid-course  
25 corrections. So, you can either grab Sean or me. And we

1 want to make sure that this -- that we are accomplishing  
2 our objective of this roundtable.

3 But, it sounds to me like there is no shortage  
4 of discussion. I see plenty of opportunities for -- or  
5 plenty of folks that would like to jump in. But, what we  
6 will do is we'll take a break until 11:05.

7 Again, if you've got mid-course corrections,  
8 let either Sean or me know. Thank you, so much.

9 (Whereupon, the above-entitled matter went off  
10 the record at 11:41 a.m. and resumed at 12:05  
11 p.m.)

12 BOARD MEMBER SUMWALT: Okay great, welcome  
13 back.

14 And, now we're going to have a track on  
15 Education, Legislation and Enforcement.

16 And, we've got Joel Feldman, founder of End  
17 Distracted Driving, Jennifer Smith of  
18 stopdistractions.org and Dana Schrod, Executive Director  
19 of Virginia Chiefs of Police.

20 So if we want to talk about education, if we want  
21 to talk about legislation, if we want to talk about  
22 enforcement, one of the things NTSB has said is that need  
23 three things. We need good laws. We need visible  
24 enforcement. And we also need education. We need all  
25 three of those in order to really drive this down.

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1 Dana, do you agree with that?

2 MS. SCHRAD: Absolutely.

3 In many ways, we've tried to do with developing  
4 good laws in Virginia to address distracted driving.  
5 And, I told the proponent of our law when it passed years  
6 ago, I said, you know, this is good effort, but this a Swiss  
7 cheese statute.

8 Because, we have so many exceptions that we've  
9 written into it, that we really don't have a clean law in  
10 Virginia. It's like you can't drive distracted, these  
11 people have exception or these activities are exceptions.  
12 So, that's a difficult message to educate on.

13 And, the bottom line was when we sat down and  
14 talked about. We said, look, this is going to be an  
15 extremely difficult law in Virginia to enforce because we  
16 don't have just sort of a clear ban on the use of cell phones  
17 while driving. Because it leaves officers to have to do  
18 subjective observations of behavior rather than sort of the  
19 objective. Did they have a phone in their hand or not?

20 But, we said, you know, if nothing else, it's  
21 still a law we can educate on. And, for law enforcement,  
22 that's how we're using it I think most successfully. We  
23 educate especially young people, that there is a law  
24 against using your cell phones while driving. We're  
25 hoping they'll at least listen to that.

1           And, then, of course, it's going to be a tool  
2 in a crash investigation. So, those are the two key ways  
3 on a practical level that it does benefit us. But, still,  
4 our law is still far from perfect.

5           BOARD MEMBER SUMWALT: Excellent.

6           So, Joel, as you know, the NTSB, in December of  
7 2011, the NTSB issued recommendations, to all 50 states and  
8 the District of Columbia to ban the nonemergency use of  
9 personal electronic devices, except for those used in the  
10 driving task for all drivers.

11           Do you think that that's what we need, that all  
12 50 states should adopt those laws?

13           MR. FELDMAN: I think it would be a help. I  
14 also recognize that it's a very, very difficult burden.  
15 But, when you're talking about enforcement, education and  
16 legislation, I think we need all of those.

17           There a plan the AAA foundation for traffic  
18 safety study and others studies have shown that cell phones  
19 are not necessarily, you know, the largest distraction in  
20 the car.

21           We've talked about mind wandering, we've talked  
22 about other things. I mean, to, you know, to get blunt,  
23 I mean I think most people here know my daughter was killed  
24 by a distracted driver. He was a 58-year-old man who was  
25 reaching for his GPS.

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1           So, what would you propose and I think which  
2 makes sense, but what would be difficult wouldn't have made  
3 a difference.

4           So, that's why when we talk about it, we talk  
5 about all types of distractions, every type of distraction  
6 we could think of from phones to applying makeup to  
7 breast-feeding babies while moms are driving to everything  
8 you could imagine we, as human beings, do outside of the  
9 car, unfortunately, we try to do them while we're driving.

10           BOARD MEMBER SUMWALT: All right, thank you.

11           Jennifer, do you think that the educational  
12 campaigns are effective? We raised that question in a forum  
13 last week about does education really matter? So, what are  
14 your thoughts?

15           MS. SMITH: Yes, I think it does. I think that  
16 education campaigns have been a huge awareness effort.  
17 But, those campaigns then do have to be backed up with the  
18 laws because the big excuse is, well, if it was so bad, it  
19 would be illegal.

20           And so, that's where we do have to have the next  
21 step of the legislation so then we can enforce and change  
22 that behavior.

23           BOARD MEMBER SUMWALT: So, the law does is it  
24 sets -- it draws a line between what society views as  
25 acceptable and unacceptable. So, that's one thing that

1 a law does. And then, the educational component helps  
2 people to understand the advantages of complying with the  
3 law.

4 MS. SMITH: Correct.

5 BOARD MEMBER SUMWALT: And then, of course, the  
6 education, then the visible enforcement is a vital  
7 component as well.

8 Dana, go ahead.

9 MS. SCHRAD: But, it could be very well that,  
10 I mean, in our world, we want things done here, now and  
11 yesterday. And so, legislation has always been a quick  
12 fix, if we just pass a law, then people will automatically  
13 change their behavior.

14 And, if they think that they get a fine then they  
15 will be penalized and that will change the behavior.

16 And, it's really because educational efforts  
17 that go to the core of this, which is teaching people  
18 responsible behavior because it's in their best interest,  
19 takes longer.

20 We're in a society where distraction is  
21 normalized activity. We do it all the time in every aspect  
22 of what we do. So, because we walk down the street  
23 distracted, because we have conversations and we're  
24 distracted. It becomes a natural activity when we get in  
25 a car and it's something that we all do and we don't think

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1 there is anything wrong with it.

2 It is a much more difficult educational process  
3 to get people to understand that driving is a full-time  
4 activity. And, if we could focus maybe our educational  
5 efforts to make sure that we cover why we are doing, you  
6 know, what you need to be doing right rather than don't do  
7 this wrong, that's the part of the message that I think  
8 we're missing.

9 BOARD MEMBER SUMWALT: Let me ask you this,  
10 Dana, you're in the law enforcement community. Do you  
11 think that laws -- right now; we have no laws except for  
12 maybe in a few communities that outlaw hand-free cell phone  
13 uses, as well as handheld uses.

14 So, do you think that laws that only ban, and  
15 I think 44 states have laws to ban texting, and we have a  
16 smaller number that ban handheld usage, do you think that  
17 laws that only ban handheld usage and laws that only ban  
18 texting are sending the wrong message, the message that it  
19 is okay to pick up your cell phone and talk on it through  
20 a wireless device, through a Bluetooth device? I am sorry  
21 that was such a long, drawn out question.

22 MS. SCHRAD: Those kinds of convoluted laws  
23 that say you can do this, but not this, but in this  
24 situation, you can do this, that's the mixed bag message  
25 that people ignore because they don't understand it and

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1 they won't take the time to understand it. And it makes  
2 it more difficult for law enforcement to enforce those  
3 laws.

4 So, really, unless you just have kind of a clear  
5 ban on technology all together, which people understand  
6 that and law enforcement can understand that, but our  
7 legislators won't go there because a legislator is going  
8 to look at laws like this, and we've been through this  
9 process in Virginia and other states have as well, where  
10 a legislator says, but I want my son or daughter to be able  
11 to call me and let me know where they are. And so, they're  
12 part of the educational process as well.

13 BOARD MEMBER SUMWALT: Yes, I just think if  
14 we're going to accept the fact that cognitive distraction  
15 is real and that people don't multitask, then -- and I think  
16 there are statistics that show that there's no significant  
17 difference between handheld and hands-free, it would seem  
18 to me that the laws that only ban one, that's sending the  
19 wrong message.

20 MS. SMITH: And, and then part of the  
21 difficulty there is that police officers are probably the  
22 most distracted drivers on the roads to start with, or at  
23 least among them. We have so much in our vehicles already.  
24 And, they're often given an exception under our statutes  
25 that they can use handheld devices.

1           So, while I understand why our law enforcement  
2 officers want the exception, it means, I think, it makes  
3 it more difficult for us to even train and educate our  
4 officers on the real severity and the real dangers of  
5 distracted driving when they are given an exception.

6           And, I know that's not a popular thing to say  
7 from a law enforcement standpoint, but it really is  
8 probably something that we need to reexamine.

9           BOARD MEMBER SUMWALT: Great point. Joel?

10          MR. FELDMAN: It's been a dilemma for me  
11 because I believe that talking on a cell phone, even  
12 hands-free is, as we have heard, is dangerous.

13          So, there are some of us who think that if you  
14 pass these laws in 14 or 15 states that you can talk on the  
15 cell phone but it has to be hands-free, you're sending the  
16 message to people that it is safe.

17          So, I'm not really sure where I come down on that  
18 because it seems to me that having the dialogue, passing  
19 the law, having the conversation, to me, talking to people,  
20 whether it's high school, college kids or adults, parents  
21 or businesses, we get to talk about it, and we get to talk  
22 about, I think, NSC's the paper understanding the  
23 distracted brain is, I think you referred to that earlier,  
24 that's probably the best one that shows that there's no  
25 safety benefit conferred by going hands-free.

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1           But it's a dilemma for me. I mean, people say,  
2 well, will you come to this state or that state and will  
3 you talk about this? I have talked and I have testified  
4 on behalf of changing the law so it is just hands-free.  
5 But, part of what I say has to be asterisks because it's  
6 not really safe.

7           But, I want to have a conversation. I want to  
8 have the conversation about it and I believe there's  
9 probably people here that know this better than I do, but  
10 I believe some of the studies are showing that if you go  
11 hands-free, you reduce overall cell phone use, whether it  
12 is hands-free or handheld, in those states.

13           BOARD MEMBER SUMWALT: Interesting.  
14 Jennifer, you wanted to comment?

15           MS. SMITH: Which is a great point that I like  
16 to make?

17           I am the one person who does not believe  
18 hands-free is safe at all. That's how I lost my mother was  
19 someone talking on a phone.

20           But, the logical step of traffic safety laws is  
21 it is step-by-step. We can't go in and automatically get  
22 a law. So, a handheld ban does help enforcement.

23           I live in the state fo Illinois. In 2013, there  
24 were 995 fatalities. January 1, 2014, our handheld ban  
25 went into effect that you cannot touch your car if the

1 phone -- touch your phone if the car is moving. We had 921  
2 deaths.

3 So, I keep hearing about these crash rates are  
4 coming down. Well, that is a myth in itself because we are  
5 looking at old data to get those numbers from pre-2010 in  
6 many of these studies. Our phones aren't even the same.  
7 We have -- everyone has smartphones now. We have a  
8 million apps on our phones now that we can do everything  
9 while we're driving. It has to stop doing that.

10 So, there is also the many other texting laws  
11 that there's been research done showing 19 lives can be  
12 saved a year with a primary texting law. And then,  
13 another one surveyed Southeastern states out of the  
14 University of Georgia. The only state that did have a rise  
15 in fatalities was South Carolina, who did not have a texting  
16 law, who has now passed one.

17 So, the myth crash rates are coming down, it's  
18 not an overnight, but they are coming down. We're seeing  
19 numbers go down. So, that's a big hurdle in getting the  
20 legislation passed in the remaining states.

21 For instance, Texas, Oklahoma, they are holding  
22 up a report from 2010 that says texting bans are causing  
23 more crashes. That is not even relevant in this day and  
24 age anymore. But, it's inhibiting those last five  
25 states.

1 BOARD MEMBER SUMWALT: Thank you.

2 I want to go over to Anita Bates with the  
3 National Organization for Youth Safety.

4 And so, what programs can be put in place to  
5 inculcate the youngest generations about the hazards of  
6 distractions?

7 MS. BATES: Thank you.

8 Well, obviously, from the National  
9 Organization for Youth Safety, we are big proponents of  
10 peer-to-peer education but also peer-to-parent education.

11 We know that there are many parents out there  
12 modeling risky behavior behind the wheels. And, they're  
13 modeling it in front of their novice drivers as well as  
14 their young children who will become the next generation  
15 of novice drivers.

16 So, one of the things that we do every fall is  
17 that we have a teen distracted driving prevention summit  
18 that we've done in partnership with AT&T and many others  
19 for quite a few years now. This year, we're calling it a  
20 teen safe driving summit and we bring motivated teens into  
21 D.C. to talk to them about their responsibilities and their  
22 abilities behind the wheel so that they can take those  
23 messages back to their committees and be able to do summits  
24 in their own communities and talk about responsibilities  
25 and abilities behind the wheel.

1           The abilities behind the wheel, of course, are  
2 what we are talking about here. You know, how do you get  
3 those messages across?

4           This year, we really want to put an emphasis on  
5 peer-to-parent education and that's an area that I'd love  
6 to hear more conversation about here.

7           BOARD MEMBER SUMWALT: Thank you very much.

8           Chip, what's the Railroad Industry doing along  
9 these lines of keeping people -- employees from dealing  
10 with their personal electronic devices?

11           MR. FEININGER: I have behind me Doug Bachman,  
12 he is our local Chairman for the Brotherhood of Locomotive  
13 Engineers and Training, and he is running a peer-based  
14 project along with Mr. Lamar, his supervisor. And, they  
15 are actually doing classes. The Union officers are  
16 teaching classes to their membership that has had dramatic  
17 impact on use of cell phone devices.

18           They're talking about how to have those  
19 positive interactions that make people want to do the right  
20 thing as well as doing that corrective counseling. And,  
21 we're seeing a reduction in cell phone violations.

22           We've gone down from 10 in 2014 to just one so  
23 far since the project started. So, we're really seeing  
24 great results from that, exactly what you're talking about,  
25 peer-to-peer are really powerful.

1 BOARD MEMBER SUMWALT: So, what are you doing  
2 on the enforcement side? So, peer-to-peer is helping with  
3 the education aspects. How do you check for compliance?

4 MR. FEININGER: We do have to check for  
5 compliance. We monitor -- we rule check. We do all kinds  
6 of checkups. We have lots of rules and federal laws that  
7 are pretty clear about when phones can be used.

8 So we are -- we've got teams of people that  
9 actually go out there and look for cell phone usage as well  
10 as supervisors from each location, road territory, yard  
11 territory. And, cell phone violations are a really big  
12 thing in our industry. They can be a decertifiable event  
13 for somebody that has an engineer's license.

14 So, there's a big stick to go along with the  
15 carrot of that peer-to-peer interaction.

16 BOARD MEMBER SUMWALT: Thanks a lot.

17 And, we might have a problem here. We're  
18 talking about cell phones and yet we have somebody from the  
19 NSA. No, I am sorry. It must be the National Sheriffs  
20 Association.

21 MR. HUTCHISON: It's the other NSA, the more  
22 friendly one.

23 What I wanted to bring up was, I hear a lot of  
24 discussion about younger adults and for Sheriffs, of  
25 course, that's a big part of our outreach.

1           But, one of the discussions that I haven't heard  
2 about is with the older adults. As the cognitive abilities  
3 start to decline, the technologies in the cars are  
4 sometimes very confounding for them.

5           We do a project where we do outreach and  
6 training for kind of a refresher course on literally how  
7 to drive your car for older adults. But, it's completely  
8 voluntary and it's a community outreach.

9           I don't hear any discussion about that those  
10 materials and outreach other than that, other than AARP's  
11 car fit, which something about fitting the older adult in  
12 the car, but nothing about the technologies that are in  
13 there.

14           BOARD MEMBER SUMWALT: While I've got you on  
15 the line, what does the Sheriffs Association feel about the  
16 texting laws and the laws that are in place for banning  
17 hands-free, I'm sorry, handheld devices? Are these laws  
18 hard to enforce? Are they over burdensome for the law  
19 enforcement community? What are your viewpoints on that?

20           MR. HUTCHISON: Well, it depends upon the  
21 state, of course, but it's a tremendous burden in the  
22 enforcement component. It takes a lot of resources to  
23 actually do enforcement for distracting driving to be able  
24 to prove that court of law that this is something that's  
25 going on undeniably with that texting driver or distracted

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1 driver.

2 And, again, like in California, for example, we  
3 have some really great task forces and some great outreach  
4 programs that we then take to other law enforcement  
5 officers on how to do distracted driving. But, it is a  
6 training in process. And, in some states, make it, you  
7 know, the laws make it almost impossible to do that.

8 BOARD MEMBER SUMWALT: Great, thanks.

9 Cover over here to Joe with FMCSA, Federal Motor  
10 Carrier Safety Administration

11 MR. DELORENZO: Yes, I want to build a little  
12 bit on what you were just saying about enforcement and the  
13 laws and get anybody else's thoughts on this.

14 In commercial trucking, we've had good -- we've  
15 had laws in the books for five or six years, no texting,  
16 no handheld cell phone use. But, we started off talking  
17 about seatbelts and how it's a culture. But, in commercial  
18 trucking, we have extremely low rates of seatbelt use. A  
19 third of truck occupant fatalities are from people not  
20 wearing seatbelts.

21 It kind of reminds me a little bit of your  
22 discussion about maybe pilots being harder to get your  
23 hands around somebody doing this as, you know, as a  
24 profession. And, trying to figure out the balance between  
25 having the enforcement.

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1           There's this education component together  
2 along with trying to write, especially on the commercial  
3 side, and rail knows this, too, trying to write a  
4 one-size-fits-all kind of regulation.

5           So, that's a little bit of the challenge that  
6 we are experiencing. Our way of kind of going about that  
7 has been really to try these three things together. And,  
8 when we talk about education, it's not only the industry  
9 side of it, it is the law enforcement side of it because  
10 especially with the commercial vehicles, law enforcement  
11 is not always as easy -- if they've got a choice, they're  
12 going to pick the car over the truck. We actually even kind  
13 of like them to do the opposite.

14           So, for many of law enforcement folks on any of  
15 these issues, it'd be interesting to hear, you know, kind  
16 of how to sort of tackle that institutional challenge we  
17 have.

18           BOARD MEMBER SUMWALT: Here, let me refresh  
19 memory.

20           Currently, motor carries, what are the laws  
21 concerning using cell phones for motor carriers? And, it  
22 may be different for motor coaches versus trucks?

23           MR. DELORENZO: Well, it's the same for trucks  
24 and buses. It's no texting, no handheld devices. So,  
25 kind of similar to what I think other folks have is kind

1 of where we are.

2 The other aspect we have is people have talked  
3 about other technologies in vehicles. And we're are heading  
4 down the roads of starting to mandate technology in  
5 vehicles, you know, which has led to this whole real kind  
6 of paradox of, hey, don't use your stuff, but now we're  
7 going to tell you all need to put electronic logs in your  
8 vehicles.

9 BOARD MEMBER SUMWALT: But, that's a passive  
10 device, right? What -- I don't know. I mean --

11 MR. DELORENZO: It can be.

12 BOARD MEMBER SUMWALT: Okay.

13 MR. DELORENZO: You know, the electronic log  
14 itself is a passive device, but as somebody else was  
15 mentioning about cars, somebody over here, I think you were  
16 mentioning about monitoring of activity in vehicles,  
17 trucking companies are also very big on monitoring vehicle  
18 activity looking for hard breaking events, all the same  
19 things.

20 For them, it's about efficiency and cost  
21 savings. And but, there is with most fleet management  
22 systems, there is that same interactive component that you  
23 could have. So, you could have a guy in a cab of  
24 a truck with a cell phone, at least one, a fleet management  
25 system and CB, you know, all different ways of possible

1 leading to distraction.

2 BOARD MEMBER SUMWALT: Thank you.

3 Anthony?

4 SGT MENDEZ: Sergeant Mendez, Delaware State  
5 Police.

6 The organization that I'm a member of, we've  
7 taken an active and aggressive enforcement towards  
8 distracted driving and it's all been hand-in-hand with our  
9 Office of Highway Safety and our state legislature.

10 We enacted -- we're one of 14 states that's a  
11 complete hands-free state. And, additionally, we enacted  
12 House Bill 280 last year, which allows us to use a spotter  
13 in our enforcement practices. And, some of the  
14 enforcement patrols that I organize out of the Lewes,  
15 Delaware troop, where we use two to four troopers and a  
16 person that is in a covert vehicle and we're able to spot  
17 these violations and have them radio them to other officers  
18 within close proximity or within eye view.

19 That in and of itself with some additional funds  
20 that have come forward from our Office of Highway Safety  
21 allow us to at least perform on a monthly basis where we  
22 do the distracted driving patrols that are strictly based  
23 on violators with their eyes off the wheel, looking down,  
24 actively texting or holding their phone talking into it  
25 while they're driving.

1           And, some of the training techniques that we use  
2 deal with officers using proper sun angles. For example,  
3 you're enforcing traffic, the sun's shining in a certain  
4 direction; you're more readily able to see in the vehicle  
5 to ascertain if the violators, in fact, are talking on their  
6 cell phone.

7           But from what I do hear from some of the other  
8 states, they might not be in the same position because  
9 perhaps, you know, their laws are maybe one or two steps  
10 behind what we're currently able to do.

11           BOARD MEMBER SUMWALT: How do you in the state  
12 of Delaware prosecute those cases? Like, for a DUI, you've  
13 got the proof of a Breathalyzer, I guess. I don't guess  
14 you can prosecute solely on that, but how do you prosecute  
15 one of these cases? How do you enforce these cases?

16           SGT MENDEZ: Well, that pushes as far as a  
17 simple cell phone violation; it would be an officer would  
18 have to take pretty meticulous notes. He would spot a  
19 violator with, for example, a red otter box case, right hand  
20 to right ear, blue Chevy Cobalt, white male, brown hair,  
21 red phone, right ear. And he would write those notes down  
22 and the time the violation occurred. That in and of itself  
23 would then go to court with the officer who was writing the  
24 ticket and the spotter or just the officer who may have  
25 written the violation.

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1                   But, as far as like more serious  
2 investigations, you know, we would then either subpoena the  
3 cell phone records or actually extracted data from the  
4 phone itself for certain fatal investigations.

5                   BOARD MEMBER SUMWALT: And so, for crash  
6 investigations are you routinely collecting -- subpoenaing  
7 those sorts of information?

8                   SGT MENDEZ: Yes, sir, we are. Typically, we  
9 look for several things where we years ago, we would assume  
10 or not assume, but you think DUI, high-speed, those types  
11 of things.

12                   Now, my investigators, they go in, okay, where  
13 are the cell phone? Let's search for the cell phone.

14                   And, if you have a high mechanism crash, most  
15 likely it didn't accompany the driver to the hospital. We  
16 will then actually seize that phone and it would go to our  
17 high tech crimes and they would actually give us data back  
18 on webpage views, tweets sent, e-mails sent, texts sent and  
19 we will get that information with a search warrant through  
20 our Attorney General's office.

21                   BOARD MEMBER SUMWALT: Thank you so much.

22                   Sandy?

23                   MS. SPAVONE: Sandy Spavone with FCCLA.

24                   I just want to talk again about the teens, of  
25 course. But, when we talked -- and you began your first

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1 statement by talking about what we learned about changing  
2 behaviors with seatbelts and the drunk driving, and that's  
3 a big behavior change.

4 And, if we'll take our minds back to when we ran  
5 the campaigns where you had little kids in the back seat  
6 saying, mommy, buckle up.

7 So, when we talk about these three tiers that  
8 are important to behavior change, part of that can be going  
9 back to what we learned from that, is maybe the enforcement  
10 just isn't the officers, but its peer enforcement as well.

11 So, some of the activities that we with the  
12 teens is to empower them. How can they say, can I take that  
13 phone call for you? How can they have the audacity as a  
14 teenager to another teen or to their parents saying, you  
15 know, let me take that call or let me use that phone?

16 So, and, a lot of times, getting the teens to  
17 learn from stories from examples of people that they can  
18 relate to of somebody that was lost, changes their life to  
19 then have the courage to change others.

20 In 2013, FCCLA lost one of our state officers  
21 in Oklahoma to a distracted driving crash. She was doing  
22 everything right. The driving conditions were right. She  
23 was stopped at a stop sign and rear ended by a distracted  
24 driver, threw her out and she was killed.

25 The students now at FCCLA in Oklahoma have

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1 turned that adversity into action and are advocating in  
2 Oklahoma for legislation. So, you have the peer-to-peer  
3 enforcement. You have them advocating for legislation and  
4 the education piece from a teen to a teen is something that  
5 we continue to involve the teens in and have them work on  
6 that.

7 Because we believe that the educating their own  
8 peers about this issue and other issues changes their mind  
9 set a lot more than we adults could ever do because it's  
10 somebody that looks like them, that knows their language  
11 and that works with them.

12 And they get creative with it. They do it in a  
13 fun way that we as adults would possibly never think of.  
14 And so, it's giving those messages, whether it's through  
15 skits that they do in the morning with school announcements  
16 or signs around the school. They get creative with that.

17 And, I would like to encourage all of those  
18 partners here to consider the voice of youth as an important  
19 part of those tiers of education, enforcement, is that they  
20 can help us from generations from now make those changes.

21 I heard earlier about great new cars that we all  
22 get to drive with this technology. They don't get those  
23 cars. Teens don't normally get the latest and greatest  
24 cars, but they have the latest and greatest technology.

25 They will have a better phone than all of us and

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1 their parents because that's what is very important to  
2 them. So, if we could use this and use that, even as a tool  
3 that the drive mode apps and the different resources we have  
4 and engaging the teens, I think we can continue to make an  
5 impact as we have on other behavior change processes.

6 I did bring a front to back flyer that talks  
7 about those different programs that we have done if anyone  
8 would like to get that after today.

9 BOARD MEMBER SUMWALT: Thanks.

10 You talked about one of your members of FCCLA  
11 was struck and killed by a distracted driver. And, that  
12 reminded me, when we had our forum on distractions and  
13 transportation, during one of the breaks, and I had  
14 compared how we had made progress on seatbelt laws through  
15 the education, the enforcement of visible laws.

16 So, right up here in the front of the boardroom,  
17 it may have been Janet or Jennifer, somebody came up to me  
18 who had lost a family member in a crash and they said, you  
19 know, with seatbelts, if you don't wear your seatbelts,  
20 you're only endangering yourself. But, with texting and  
21 talking on cell phones, you are endangering others as well.

22 And, that's a powerful point that the example  
23 that I used when we started out about the 19-year-old ran  
24 into the back of a -- at 55 miles an hour, no skid marks,  
25 ran into the back of a standing truck.

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1           Of course, he was texting, it claimed his life  
2 and that was tragic. But, it was also tragic that through  
3 a chain reaction, an innocent 15-year-old girl was killed  
4 in that as well.

5           So, that's the thing I think we've got to  
6 remember about distractions.

7           Janet, we haven't heard from you this morning.

8           MS. BROOKING: Thank you.

9           I wanted to bring this back to the law  
10 enforcement discussion.

11           We passed a law in 2013, a primary texting law  
12 in Virginia and Dana and I worked very closely to forward  
13 that legislation. And I'd like for her to take a moment  
14 to talk about the curriculum that had to be created after,  
15 actually the Governor mandated that that curriculum be  
16 created as part of the passage of the law.

17           And, also about the challenges in rolling out  
18 that curriculum and any thoughts she had on the realities  
19 of enforcing these texting or handheld laws.

20           MS. SCHRAD: In fact, one of the things that we  
21 had to deal with was the legislators who, while they  
22 wouldn't publicly say I'm against a texting law, privately  
23 they would say, I can't vote for this.

24           And, it came down to a lot of different  
25 political philosophies about big government telling me how

1 to conduct myself, that I can be responsible for my own  
2 behavior. So, we had to work through a lot of those  
3 political realities as well.

4 But, when the bill was finally passed, our  
5 Governor at the time said, you know, in order to appease  
6 the varying political ideologies around do we or do we not  
7 pass this said, Dana, can we make sure that law enforcement  
8 officers get trained? And I said, absolutely.

9 So, the put training mandate in the bill. We  
10 developed a curriculum utilizing a variety of people, law  
11 enforcement but also our prosecutors and safety experts to  
12 come up with a curriculum. And, we've deployed that across  
13 the state and we also have cross trained our prosecutors  
14 who were part of the whole thing

15 Because, one of the challenges for law  
16 enforcement, the fine for Virginia for violating our  
17 texting law is a \$125.00 fine. Now, you can talk about  
18 getting a subpoena and building a case, but, let's face it,  
19 if you're in a large agency and you've got the facilities  
20 or you've got the resources to deploy multiple officers to  
21 do this kind of work or specialize in this area of work,  
22 then fine.

23 But, most of our agencies are really small and  
24 one officer who may be the only person on duty that day is  
25 not going to go to the trouble to get a subpoena to build

1 a case for \$125.00 fine that the judges may or may not  
2 uphold.

3 So, that becomes a little bit of a challenge.  
4 So, we've done everything we can to sort of make the law  
5 more enforceable, but also to encourage our officers  
6 themselves to use this as a tool to get out and educate the  
7 community.

8 So, it's been, I think, very helpful in that  
9 regard. And, we build into our own educational curriculum,  
10 talking to our officers about reducing their own  
11 distractions in the vehicle.

12 BOARD MEMBER SUMWALT: Thank you.

13 Andrea, I'd like for you to weigh in on this.

14 MS. BRANDS:: Thank you. Andrea Brands, AT&T.

15 I just wanted to comment on a couple of the  
16 points that were made about the educational piece because,  
17 as most of you know, I work on the It Can Wait campaign and  
18 that's a big effort for us. And, we really believe in the  
19 power of education as being one of the tools, as Jeff  
20 mentioned, in, you know, in the tool kit for people to, you  
21 know, stop distracted driving.

22 One point was what Sandy had made about the  
23 power of youth, the power of peer, you know, peers-on-peer  
24 and what we determined a couple of years ago -- what we found  
25 when we did a survey, was that the majority of youths

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1 appreciated if someone in the car said something about,  
2 hey, you're making me uncomfortable, please put the phone  
3 down. They actually appreciated it when somebody said that  
4 to them.

5 So, the power of their voice is powerful. So,  
6 the more I think we can, as Sandy said, empower them, the  
7 better off that we will be.

8 And also, Jennifer, I hear you. You've made this  
9 point now two or three times and I feel like I really should  
10 speak up at this point about how education does have an  
11 impact and these campaigns do have an impact.

12 We did a crash data analysis in four states,  
13 Texas, Kentucky, Illinois and Florida and studied the crash  
14 data and the impact that our campaign might be having on  
15 it. And, you know, we did this at a time when the campaign  
16 was at a full effect, when we had ads going on, when we had,  
17 you know, the simulator there and we had a lot of events.

18 So, we were really in the community and we  
19 really focused on that and we did find a correlation between  
20 a reduction in crashes and the campaign at its height.  
21 Between 6 and 9.3 percent, depending on the state.

22 Now, I wouldn't say it's a perfect study. We've  
23 been working with safety organizations to perfect that and  
24 make it more scientific, but certainly, the findings were  
25 positive and in the right direction.

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1 BOARD MEMBER SUMWALT: Thanks.

2 George?

3 MR. GRABOWSKI: So, I guess I have a hard time  
4 believing that a lot of policymakers think that their  
5 constituents are not supportive of these laws.

6 Every year, the foundation performs a  
7 nationally representative study called the Traffic Safety  
8 Culture Survey. And, basically, what we found is that  
9 the support for texting bans for drivers is really strong,  
10 it's at 89 percent. And, support for bans on handheld  
11 mobile devices is lower, but still fairly strong at 68  
12 percent.

13 But, when we asked about hands-free cell phone,  
14 it drops down to about 40 percent. And so, at least for the  
15 texting and the hand-held, there's a lot of support amongst  
16 the general driving population for those types of laws and  
17 enforcement.

18 BOARD MEMBER SUMWALT: With the population  
19 you're referring to is whom exactly?

20 MR. GRABOWSKI: These are 16-year-olds who  
21 report having driven in the past 30 days - I'm sorry,  
22 16-plus, who have reported driving in the past 30 days and  
23 it's nationally representative.

24 BOARD MEMBER SUMWALT: We've seen figures like  
25 that, too, of the adult population that says that, you know,

1 such a large percentage of people support or think that this  
2 is dangerous behavior but yet they're not willing to change  
3 their own behavior.

4 MR. GRABOWSKI: Yes, and that's exactly what we  
5 see. We ask them, do you support these types'  
6 legislations? And then, we ask them, oh, have you ever  
7 texted? Have you ever talked on the phone? And, about, if  
8 I remember, about 36 percent admitted that they do. So, it  
9 is a culture of do as I say and not as I do.

10 BOARD MEMBER SUMWALT: Right. And, we've got  
11 to figure out how we can change that behavior and I think  
12 we've heard some good ideas that the peer-to-peer, things  
13 like that.

14 We're going to go over here to Chris Mullen.

15 MS. MULLEN: I will say, too, our surveys  
16 showed similar results that folks did support texting bans,  
17 but they also did report texting themselves quite a bit.

18 I wanted to go back education piece and  
19 underscore the importance of it. When we were dealing with  
20 our teen driver safety initiative and surveying teens,  
21 while I agree that peers do have an incredible impact on  
22 teens, I don't want to undervalue the impact the adults  
23 have.

24 When we asked teens who do they look to for how  
25 to learn how to be a safe driver? Adults were by far were

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1 number one, parents were number one.

2 And, we have a study in pre-publication review  
3 now that showed that adults that are participating in  
4 distracting behavior performs substantially similar to  
5 their novice drivers. So, their experience level doesn't  
6 help them at all in that case. They actually start  
7 performing like a novice driver.

8 And so, our goal is to educate these folks on  
9 the reality of their behavior. I think it's going to make  
10 great strides. It does takes longer, I agree. And, I've  
11 referenced members, some of your opening comments of the  
12 success stories, of seatbelts and smoking and these  
13 successful approaches there were multifaceted.

14 And so, I want to make sure we do value the  
15 education. It does take longer, but there are incredible  
16 gains to be made if we target that properly and if we go  
17 toward the right audience and we're using the right levers  
18 to pull on how to change people's behavior.

19 BOARD MEMBER SUMWALT: Laurie, we haven't  
20 heard from you this morning. Please, welcome.

21 MS. MILLEN: I'm Laurie Millen and I'm with the  
22 Office of Communications at NHTSA.

23 Just listening to the conversations, I get a lot  
24 of calls from a lot of people, and the challenges that I'm  
25 hearing, there was an article that was out and it talked

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1 about teens wishing that they did not have to be so  
2 connected. They feel like if they get a text or they get  
3 a whatever, if they don't answer it immediately, that's  
4 rude, that's a slap in the face to a friend.

5 And, that's what this woman was saying. She  
6 had talked to a group of people and they were saying, look,  
7 I wish it was, dare I say it, like the old days when people  
8 didn't have to do that.

9 So, that's one of the challenges that the  
10 culture has changed to the point where it has to be  
11 immediate response. People have to be -- kids sleep with  
12 their phones under the pillows. Kids have their phones  
13 with them 24/7. You know from people that you've talked to.

14 The other thing, you talked about the carrot.  
15 And, what I'm hearing, I guess, over the years is that  
16 everybody has their own carrot.

17 Some people don't feel the need to be connected  
18 24/7 so, you know, that's an easy sell. But, then you've  
19 got others who may think that enforcement, if you get a  
20 ticket, I don't want to get a ticket, so I won't do it.  
21 Other people may need to get a ticket.

22 So, you've got all these different things that  
23 will be the motivators.

24 But, then you've got other people who are the  
25 personal exemption people. And, maybe they're the really

1 the fruit at the top of the tree and those are going be the  
2 ones that are going to the hardest to reach because they  
3 give themselves a personal exemption to do the behavior.  
4 They make excuses. They know it's wrong, like you were  
5 just saying, you know, I shouldn't do it, but, yes, I kind  
6 of do it. They may be sheepish, they may be arrogant. So,  
7 there are different levels of the behavior.

8 And, that's kind of all tied into the challenge.  
9 We've got people who, the noise groups and the teens that  
10 are willing to listen to the message and change their  
11 behavior, but then you've got other people and it's going  
12 to be like seatbelts.

13 BOARD MEMBER SUMWALT: Thanks for your  
14 comments.

15 And, so now, we'll go to Jennifer.

16 MS. SMITH: Jennifer Smith,  
17 stopdistractions.org.

18 I want to touch on the overwhelming public  
19 support and what legislators are saying. I've had some very  
20 interesting comments this session.

21 One says he doesn't want to live under a law that  
22 says people can't text while driving because his Uber  
23 driver needed to get his messages.

24 Another high-ranking Speaker of the House in  
25 another state told me, well, just because everyone wants

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1 a law and the public supports it, doesn't mean it should  
2 be a law.

3 So, there is that deep disconnect from the  
4 constituency that the people we have in office just aren't  
5 listening. So, I don't know how to overcome that except  
6 by continuing to let them know your public supports this.

7 Another thing I want to address is we also in  
8 the legislation need to look at the next level of  
9 legislation that I don't hear anyone talking about that and  
10 that's the criminal consequences when you do this.

11 That's going to be, as I've talked to Mike  
12 before, he called it the second level of deterrence. I feel  
13 that we're at kind of like a point like we were with drunk  
14 driving. It is finally going to be your choice behind the  
15 wheel, but you need to know that if you make that choice  
16 and you kill or injure someone, you will go to prison.

17 That's going to change behaviors as well as,  
18 there's been other cases -- New Jersey -- where the person  
19 texting the driver, if it is proven that person knows the  
20 person is driving, they will also be held liable for that  
21 crash. That is now being tested in Illinois, Arizona and  
22 I think Indiana.

23 So, that's another peer influence that the  
24 person texting needs to take responsibility.

25 BOARD MEMBER SUMWALT: Very interesting

1 perspective. And, I've thought about that, you know, when  
2 people call me, I am in my office and they are driving around  
3 talking, I should just say, you know what; call me when you  
4 set the parking brake. You know, maybe that's what we all  
5 should do to try and discourage that.

6 I'm going to come to Jack Hanley.

7 MR. HANLEY: Can you hear me? Yes.

8 I have a question because it seems to me  
9 that -- I'm going to speak -- this is a little different.  
10 I'm wondering if there is research that addresses that  
11 percent of the population in the U.S. living in states where  
12 the decision to pass a law on cell phone use or texting is  
13 not database but is more a function of personal,  
14 fundamental ideology.

15 Think of secondary states in terms of seatbelt  
16 use. Has there been any research done on those states, for  
17 instance, that would suggest strategies that would help  
18 overcome this sort of resistance?

19 BOARD MEMBER SUMWALT: Please, if you --

20 MR. KURDOCK: Like Jennifer, we talk to  
21 legislators all the time. That's what we do, we pass these  
22 laws.

23 And, there definitely is that fundamental vote,  
24 sometimes, you have fundamental libertarian view of the  
25 government shouldn't tell me to buckle up, it shouldn't

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1 tell me to put kid in a booster seat, it shouldn't tell me  
2 to do an array of things that we know have incredibly  
3 positive safety outcomes.

4           The thing that helps against that is something  
5 that we would love to see more which is better data  
6 collection of distracted driving crashes. We think they're  
7 vastly under reported and his first thing a lot of  
8 legislators will talk to us will ask our folks are, is this  
9 really a problem? Is this really something that is harming  
10 my constituents?

11           And, if we can turn around and show them the real  
12 data because it's so under reported of what -- of the  
13 distracted driving crashes in their state, it makes a huge  
14 difference in telling them, yes, you need this.

15           So, I mean I appreciate you brought up the  
16 smoking airplanes. I worked for Senator Lautenberg who  
17 passed that law and he passed Point 08 as well. And, if he  
18 were sitting here today, well, he'd be telling me what to  
19 say, but he would also say that the most effective -- some  
20 of the most effective arguments with his fellow  
21 policymakers when he was pushing so hard to get those bills  
22 passed against significant opposition was that data that  
23 showed drunk driving crashes were a national epidemic, that  
24 secondhand smoke in airplanes, because he can tell the  
25 story, he was sitting on a plane at National Airport and

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1 got delayed, and the captain, as you know, said, we're  
2 delayed, so go ahead, smoke them if you got them.

3 If you can point to it and show that that, you  
4 know, show the harms of those activities, it's incredibly  
5 powerful to go up against those arguments.

6 And, the last point is advocated. One things  
7 advocates works on more than anything is making these laws  
8 subject to primary enforcement. If you don't have primary  
9 enforcement, it's incredibly difficult for those law  
10 enforcement folks to be able to use.

11 BOARD MEMBER SUMWALT: Dana?

12 MS. SCHRAD: Sometimes I think, and I've  
13 written a lot of legislative drafts over the years, I used  
14 a serve as staff for our State Crime Commission, I think  
15 we may, from a legislative perspective, have done ourselves  
16 a disservice in coming up with the term, carving out the  
17 term distracted driving. Because, really, what it comes  
18 back to are laws that we all have on the books that we can  
19 enforce and those are reckless driving statutes.

20 Distracted driving seems to be a little bit more  
21 of a cushioned terminology. And, certainly, it describes  
22 a lot of the new factors that relate to it, but the end  
23 result is distractions create reckless driving.

24 And so, we have statues on the book and our  
25 Virginia statutes are actually tied to our texting law.

1 And, that's where we get our criminal penalties in Virginia  
2 is if you can be convicted of reckless driving which is the  
3 observed behavior, that's the lane shifting, that's the  
4 failing to signal, that's driving too fast, driving too  
5 slow, that's departing, you know, going off on the  
6 shoulder, those are all the outcomes of distracted driving  
7 and that's what we can cite on and that's where you get your  
8 criminal penalties.

9 And, I would really like us to get back to  
10 calling this reckless driving.

11 BOARD MEMBER SUMWALT: Thanks.

12 Joel?

13 MR. FELDMAN: I want to take it back to the  
14 education part and what Anita and Sandy were talking about  
15 in terms of teens.

16 I've had the opportunity to work with teens all  
17 across the country and they're incredible, noise teens,  
18 FCCLA teens.

19 If we are thinking about changing the culture  
20 of driving in our country, I think we need to address a  
21 couple of things. It's our own personal choices as we drive,  
22 but it's also what does the teen do when they're in the front  
23 seat of a car and their mom and dad or if their friend picks  
24 up the cell phone and start driving?

25 You alluded a little bit to that. The BACCHUS

1 Network is a college peer-to-peer organization and we've  
2 worked with them to develop a bystander intervention,  
3 teaching kids what to do in a nonconfrontational way when  
4 there's someone drives distracted with them in the car.

5 And, I bet there's people sitting here right now  
6 at this table who've had someone else driving distracted  
7 and you had reluctance to speak up or didn't at all.

8 And, the other things is, how many of us are moms  
9 and dads here? Okay. So, is there a mom and dad here who  
10 hasn't driven distracted with the kid in the car? We have  
11 got one. Okay, well, that's pretty good.

12 So, I asked the kids, once I get comfortable  
13 with them, I ask them, how many of your mom's and dad's drive  
14 distracted? Seventy to 80 percent of the hands go up. I  
15 asked them, what about car pools with other adults? And even  
16 more hands go up. So, if your kids in car pools, you want  
17 to think about that.

18 But, I see, as does Jennifer, I see all the other  
19 moms and dads have lost their children. And, what we do  
20 it we get a wristband in our child's favorite color.  
21 Anybody here know their child's favorite color? I be you  
22 guys do.

23 Well, so when I go around the country and I meet  
24 the moms and dads, they give me wristbands for their  
25 children. And, once they give them to me, I won't take them

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1 off. These are just the girls; I have as many as for the  
2 boys.

3 And, some of those moms and dads, in a moment,  
4 they'll ask when they are alone, they'll say to me, do you  
5 think my son or daughter was texting at the time they died  
6 because they saw me doing it?

7 So, we have abdicated our responsibility in a  
8 number of areas to our children and for our children's sake,  
9 we need to do a much better job, a much better job.

10 BOARD MEMBER SUMWALT: That's a wonderful  
11 point. And, when we don't say something to others, we're  
12 basically giving tacit approval for their behavior, so a  
13 wonderful point.

14 Anthony, you've got the last word.

15 SGT MENDEZ: I just wanted to mention about the  
16 reporting of the crashes from a vehicular homicide  
17 investigation standpoint. I can tell you that the  
18 vehicular homicides we investigate and serious traumas,  
19 they are being reported properly with distracted driving  
20 and that's being done through subpoenas and search warrants  
21 and cell phones.

22 You're moderate and your minor property damage  
23 crashes are not. And, I cannot see a solution to that  
24 because your operators are being deceitful.

25 And, the patrolmen and troopers that are

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1 investigating those crashes, once they determine or  
2 ascertain that the primary cause is inattention, they lose  
3 focus of the cell phone.

4 But, in Delaware, there are three reports that  
5 we can write and one is hand-held cell phone. The second  
6 is actively texting. And, the third is other electronics  
7 in the vehicle. And so, those three categories are three  
8 that we can pick from for your minor level crashes.

9 But, all your vehicular homicides, they are  
10 being -- I'm certain they're being reported properly.

11 BOARD MEMBER SUMWALT: Great.

12 I want to thank you all for a wonderful morning,  
13 spirited debate. I think this afternoon; we will continue  
14 to have that.

15 As you probably know, there's dozens and dozens  
16 of places upstairs to eat. Be back at 1:00.

17 Thank you very much.

18 (Whereupon, the above-entitled matter went off  
19 the record and resumed at 1:00 p.m.)

20 BOARD MEMBER SUMWALT: If everybody would take  
21 your seats, we will get started in about two minutes.

22 Welcome back. Yeah, great. I think this morning  
23 was pretty exciting, and I think this afternoon will be as  
24 well.

25 I want to remind you that in your folders there

1 is a critique sheet and if you would kindly fill it out.  
2 I guess, Nick, there's a -- where do you want them? You  
3 want them on the table in the back? Yes, the table as you  
4 exits.

5 And, the truth of the matter is, if this event  
6 was a success, it's because of your participation and  
7 Nick's planning. If it's a failure, then that's my fault.  
8 And, that's okay, I'll take that hit.

9 Also, the last 50 minutes from oh, 3:00 to 3:50,  
10 what I thought we would do is we want to talk about a plan  
11 for moving forward. And, so, we'll just take it track by  
12 track. We'll take 10 minutes per track and talk about -- and  
13 we're recording these things -- I mean literally typing  
14 these things -- so in that last hour, we'll talk 10 minutes  
15 and talk about what are ways that we can move forward? Ten  
16 minutes on that for the first track. Then the second track,  
17 10 minutes.

18 So, we'll just go through it track by track. I  
19 know a lot of people have not had the opportunity to speak  
20 and there's not enough time, so this will give you the  
21 opportunity to sort of weigh in on those things.

22 Anyway, we are back and we'll get the old clock  
23 going here.

24 So, today we're going to talk about -- this  
25 afternoon, we'll talk about corporate policy and

1 regulation.

2 We've got Tom Littleton from the Associate  
3 Administrative for Safety and Oversight at the Federal  
4 Transit Administration. We've got Caitlyn Stewart,  
5 Senior Manager of Regulatory Affairs with the American  
6 Waterways Operators, AWO. And, David Teater with the Senior  
7 Director of Transportation Initiatives at the National  
8 Safety Council.

9 So, you know, we want to talk about how  
10 corporate policies and regulations can influence behavior.  
11 So, why don't we just jump in right here?

12 Dave, you and I have talked about this. Say,  
13 that if a corporate policy does not -- if a corporation does  
14 not have a policy in place that they enforce, that they set  
15 themselves up for exposure.

16 Now, you and I have had a couple of different  
17 conversations about this. Let's hit the first part about  
18 it. You have a record of some of the payout; I think \$20  
19 million payouts and things because of corporate exposure.  
20 But there is another side to it, too. But, let's -- what  
21 are some of the payouts that you have seen?

22 MR. TEATER: Well, if you talk to liability  
23 lawyers, plaintiff lawyers, they'll tell you that it's kind  
24 of an open field right now.

25 Whenever there's a crash that involves, you

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1 know, a vehicle crash that involves a serious injury or  
2 fatality, if it's a company cell phone in the vehicle, if  
3 it's a company vehicle, if the person is working in any way  
4 in the scope of their employment, they're going to subpoena  
5 their cell records and they're going to get them and they're  
6 going to stand in front of a jury and they're going to say,  
7 XYZ Company felt so strong about making profits that they  
8 ignored all this research that's out there in the public  
9 now and encouraged their employees, maybe even required  
10 their employees, to listen in on conference calls or  
11 whatever while driving.

12           And, they're getting, you know, mostly their  
13 big settlements but there are a few big public verdicts out  
14 there as well.

15           BOARD MEMBER SUMWALT: So, there's one side of  
16 it. And, I think on your website -- on the National Safety  
17 Council website, you have a listing of some of the verdicts  
18 that are out there.

19           But, I think it is fair to say that you've seen  
20 some in the \$20 million range?

21           MR. TEATER: Yes, yes, absolutely.

22           BOARD MEMBER SUMWALT: But, you and I have also  
23 had the opposite side of that conversation and I try to say,  
24 well, we ought to be appealing to people that have  
25 corporations that, if you don't have responsible cell phone

1 policies and if you're not enforcing it, then you're  
2 setting yourself up for exposure.

3 But, you're saying, well, but that's not really  
4 a deterrent. You, yourself, have been a CEO, so, what's that  
5 side of it?

6 MR. TEATER: Well, I don't want to say that's  
7 not a deterrent, it is. But, I will say in the last ten years  
8 that I've been working on this for the companies, I've never  
9 had a single company say to me that we're worried about  
10 getting sued, we need to put a policy in place. I don't  
11 think CEO's work from that -- they don't work out of fear.

12 They put policies in place because it's the  
13 right thing to do for their workforce. They care about the  
14 safety of their workforce, and not just for the workforce,  
15 but the people they share the roadways with.

16 And, you know, when you boil all this down, it  
17 really comes down to three points for a CEO. Number one,  
18 mobile device use while driving has become a significant  
19 safety threat. And, please remember, these things started  
20 as car phones for companies 20 years ago. They were only  
21 bought by businesses in the early days.

22 We build business practices around them, so  
23 it's not an easy change. It's something new to them. But,  
24 they're starting to understand that.

25 Number two; it's also become a financial

1 liability rick.

2 And, number three, and this is news to a lot of  
3 people, if you put a policy in the right way, educate your  
4 workforce, bring them along, there appears to be no impact  
5 whatsoever on productivity, customer service or business  
6 operations.

7 BOARD MEMBER SUMWALT: And, that's a great  
8 point.

9 I want to come back and hit that later on because  
10 that's another one of these myths, I believe it's a myth  
11 that people say, what does it do to productivity? So, let's  
12 come back to that in a moment.

13 But, Tom, you're a regulator; you come from a  
14 regulatory background. So, what role does a regulator  
15 have in trying to deter certain behaviors with respect to  
16 distractions?

17 MR. LITTLETON: No, that's an excellent point.

18 You know, I think probably when I think as a  
19 regulator about things, there are so many things out there  
20 in the safety arena that you have to consider.

21 And, one of the first things that you always  
22 look at is, is priorities. Right? There's a limited  
23 amount of resources for the federal government to be able  
24 to work on things.

25 Distracted driving, distracted walking, all

1 kinds of distractions are right up there at the top of that  
2 list.

3 And, probably the biggest thing that is the  
4 biggest hurdle for a federal regulator in doing something  
5 that really is pretty sweeping, because, you know,  
6 everybody has a cell phone, is the rulemaking process.

7 You know, we can't sit here in Washington and  
8 just say, oh, we're going to make a rule tonight that does  
9 something. What we actually have to do is go through an  
10 extensive rulemaking process that's outlined by the  
11 federal regulations.

12 And, most people don't realize, or if they do,  
13 unless they've been a part of the federal government, they  
14 don't realize how onerous the process is. It takes three  
15 to five years to be able to get a rule through the system.  
16 And then, in some cases, I mean look at the SMS rule that  
17 was put through by the FAA, it took them a decade to get  
18 it through because everything has to go through a  
19 regulatory impact analysis. It has to show benefits to the  
20 U.S. economy.

21 And so, even something that is so fundamentally  
22 common sense like distracted driving or distracted walking  
23 or the prevalence of things that distract us from paying  
24 attention when we're operating machinery, nobody disagrees  
25 with it, but the process in place makes it very, very

1 difficult to do something and do it in a timely manner.

2           And, a lot of times with technology, the thing  
3 that it is, it changes so fast. Right? So, you can go down  
4 a regulatory process and as you look at a way to address  
5 something, the technology can outpace the speed at which  
6 our bureaucracy can adjust to it.

7           BOARD MEMBER SUMWALT: Okay. So, Caitlyn,  
8 that brings up a good point.

9           So, the regulatory process is painstakingly  
10 slow. So, do people in the industry, for example, in the  
11 waterways operator -- in the towing business as you are in,  
12 does your industry wait for a rule to come out to decide  
13 what to do?

14           MS. STEWART: I can tell you that the  
15 membership of the American Waterways Operators has really  
16 tried to take a proactive approach in the absence of  
17 legislation and regulation to understanding and addressing  
18 the risks of distraction.

19           There's been a lot of I think corporate  
20 responsibility demonstrated. Most of our members have  
21 policies in place that either prohibit or restrict the use  
22 of PEDs in the wheelhouse and when performing certain other  
23 safety critical tasks like operating on tows or operating  
24 a vehicle.

25           And, I think that the work that we've been

1 trying to do is to assist our membership in establishing  
2 policies if they don't have them and refining those  
3 policies and then finding the most effective way to educate  
4 their crew members about those policies.

5 BOARD MEMBER SUMWALT: So, as you know, I  
6 mentioned the tragic situation that occurred up in the  
7 Delaware River a few years ago. And so, what measures did  
8 the AWO put in place as a result of that? Of course, this  
9 was a tug boat -- a tug pushing a barge and it ran over a  
10 tour boat. And so, what measures did the AWO put in place  
11 voluntarily?

12 MS. STEWART: That was a very tragic incident.  
13 As a result of that, NTSB issues a safety recommendation  
14 to AWO asking us to educate our membership about the  
15 circumstances of the incident and to encourage them to  
16 ensure that their employees understood their safety and  
17 emergency procedures.

18 We educated our members about the incident  
19 through a number of newsletter articles. We held a panel  
20 discussion at one of our membership meetings to discuss the  
21 issue of distraction. And, you know, the circumstances of  
22 that incident are, I think, educational.

23 It was the master of the vessel was distracted  
24 by his PED use but also because the NTSB found it was a very  
25 emotional and evolving situation.

1           And, the company that employed him had policies  
2 in place to allow him to excuse himself from his duties if  
3 he thought that he was unable to perform them. And, he  
4 didn't avail himself of that policy.

5           And, one of the things that was discussed at  
6 length in the wake of this, and in responding to the NTSB  
7 safety recommendation is how to empower employees to -- how  
8 to educate them about what policies exist and how to empower  
9 them to take advantage of those policies when they are  
10 operating in distracted situations.

11           BOARD MEMBER SUMWALT: Thanks so much.

12           David, I want to come back to the question  
13 we -- to point we made just a minute ago and that is loss  
14 of productivity.

15           I've got an hour drive home, actually, I don't,  
16 but if I did, I mean, that'd be an hour that I could be  
17 sitting there getting business done. But, you're telling  
18 me that I really shouldn't be on that phone of mine?

19           MR. TEATER: Well, I think two things happen  
20 when you're doing that.

21           First of all, a lot of the things you probably  
22 think are critical business calls when those of us who stop  
23 using phones while driving, we find out they weren't really  
24 that critical and we were kind of bored and passing time  
25 so we called somebody at the office.

1           Number two, that somebody at the office  
2 probably had a job to do and you talked about business but  
3 you didn't have an appointment, you didn't have an agenda,  
4 you didn't have any expected outcomes.

5           I had one large pharmaceutical company who put  
6 in a policy for 20,000 pharma reps throughout the world and  
7 they said, can you imagine what happened to our  
8 productivity when all of them stopped calling the office  
9 because they were bored when they were driving?

10           I mean, so it has -- in some cases, it couldn't  
11 even have a positive impact.

12           And then, lastly, as Dr. Ashley points out, we  
13 don't always make the best decisions when we're in that  
14 environment. You know, he shows a picture of the harried  
15 salesman with the hamburger and the lap top and the phone  
16 and driving, you know, with his knees.

17           And then he shows the picture of Phil Ivy, the  
18 professional poker player, just looking straight ahead and  
19 focused on one thing, and he says to CEO's, which one would  
20 you rather have making decisions on behalf of your company?  
21 And, it's pretty obvious. So we don't make good decisions  
22 when we're in that environment.

23           BOARD MEMBER SUMWALT: I think that's a great  
24 point to take home point there.

25           If we've talked about that we're not really,

1 truly multitasking, and yet, we think we are, we think we're  
2 really on top of our game and we're really sharp, but we  
3 are not because we are having to split our attention between  
4 driving and conducting business. Good point.

5 So, as a former airline pilot, I wanted to chat  
6 with you, Captain Perin.

7 So, and as a result of the Colgan Air accident,  
8 the NTSB came out with a recommendation that the FAA should  
9 require airlines to put on their for-start checklist or  
10 whatever something to turn off their cell phones.

11 At the time, I didn't think that was a good idea.  
12 I did not like that recommendation because I felt like a  
13 checklist should be sacrosanct and we don't want a lot of  
14 stuff on it.

15 But, what do you find the air carriers in  
16 general are doing with respect to that recommendation?

17 CAPT. PERIN: Mostly the air carriers have put  
18 into their company policies that the personal use of cell  
19 phones need to be turned off at least 10 to 20 minutes prior  
20 to your s-made push back.

21 We do have technology being introduced into the  
22 flight decks for automatic flight bags, so those things are  
23 still being allowed to be used. But, your personal  
24 equipment is supposed to be turned off around 20 minutes  
25 prior to your push back. And, it varies airline to airline.

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1           There is the -- FAR that has for the sterile  
2 cockpit rule, but that applies from basically when you push  
3 back to 10,000 feet.

4           So, it is out there and I think the  
5 professionalism of the pilots is pretty good about not  
6 using and they do turn them off. They do stow it, they know  
7 that they have a task at hand to perform.

8           BOARD MEMBER SUMWALT: So, you mentioned the  
9 EFBs, the electronic flight bags. And so, year ago -- a few  
10 years ago, that was some sort of device that was installed  
11 in the airplane and now airlines have gotten rid of the 35  
12 pound flight bags and they are using iPads.

13           And so, does that create its own set of  
14 challenges? On balance, I think there's always the law of  
15 unintended consequences, but how is that working out in  
16 airline cockpits these days?

17           CAPT. PERIN: Well, I'll go back to my earlier  
18 statement about, you know, driving off the car lot.  
19 Anytime you introduce new technology into the airplane, you  
20 need to train for it.

21           And, I think the airlines are having really good  
22 success, have done a good job of training their pilots on  
23 how to effectively use that new technology and help keep  
24 it from being a distraction on the flight deck.

25           I think as we move forward in time, we will

1 probably see some incidents where that is a distraction on  
2 the flight deck were somebody didn't understand quite how  
3 to use the technology correctly and it distracted them,  
4 causing other, you know, chain of effects.

5 BOARD MEMBER SUMWALT: Right. Thanks so much.

6 Dr. Lund, so what role can the insurance  
7 companies play in reducing distraction related events?

8 DR. LUND: Adrian Lund with the Insurance  
9 Institute for Highway Safety.

10 I can't speak directly for the insurers. I can  
11 talk about what the Institute is doing. We see ourselves  
12 as a nonprofit research and communications organization.  
13 So, we are looking at, you know, exactly what does  
14 contribute to a distraction.

15 We are trying to see the different kinds of  
16 behavior that people do and we're trying to see what the  
17 effects are in the real world.

18 So, we think that we can prevent a lot of the  
19 deaths and injuries that are happening out there. And, we  
20 just need to make sure that we're focus on things that can  
21 work and that are what we try to do.

22 BOARD MEMBER SUMWALT: Thanks.

23 And, again, I realize you're with the Insurance  
24 Institute for Highway Safety, which is I guess funded by  
25 insurers and we have other folks who are representatives

1 of insurance, like Allstate.

2 But, you're probably on the -- you're not  
3 involved in the underwriting aspects of it.

4 But, do you have thoughts, Chris, on what the  
5 insurance companies can do to -- in addition to what you're  
6 already doing? I tell you, I'm amazed and impressed with  
7 what a lot of organizations are doing. But, do you have any  
8 thoughts?

9 MS. MULLEN: Yes, Chris Mullen, State Farm.

10 I think we can do quite a bit. And, to your  
11 point, State Farm has done quite a bit to try to understand  
12 the problem of distracted driving.

13 And, a lot of the points brought up today, I  
14 think, cover the myriad of approaches for how we can do  
15 that. But, it's going to take that multifaceted approach.

16 And, we've continued -- I referenced earlier,  
17 we've continued to survey the public on what they are doing  
18 and self-reporting their behavior and watch that  
19 evolution. We've also recognized that there are a number  
20 of gaps that we can't address on our own.

21 So, we did fund an expert panel in 2013,  
22 concluded in 2014. I do have copies, just a couple, of the  
23 peer review journal that published the findings of that  
24 panel through the annual of The Event of Automotive  
25 Medicine.

1 But, what that does is help guide us in our  
2 efforts. This problem is huge and, you know, trying to boil  
3 and ocean and if we don't have a targeted way of going after  
4 those root causes, it's really difficult to try to  
5 understand how can we target intervention development that  
6 will get after exactly what the causes are?

7 And so, that's been the bulk of our investment  
8 is trying to understanding the issue and then targets the  
9 efforts so that we can go after intervention development  
10 that will have an effect.

11 BOARD MEMBER SUMWALT: Thanks.

12 Sorry, if I think I may have said you were with  
13 another insurance company, but State Farm.

14 MS. MULLEN: Oh, no, no, State Farm.

15 BOARD MEMBER SUMWALT: Yes, exactly.

16 Nationwide?

17 MR. WINDSOR: So, I think a lot of things that  
18 the insurance industry has been working on to try to create  
19 awareness of the problem -- one of the things I think going  
20 forward that the industry will be able to do that we  
21 mentioned earlier, that the industry is working with  
22 Telemedics and monitoring different driver behaviors.

23 Certainly, the next generation of that will  
24 include cell phone use and other potential distractions.  
25 And as we collect data on that information, that type of

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1 thing can eventually get into our pricing.

2 So, when it does -- chooses not to use a cell  
3 phone, for instance, while driving, will probably get a  
4 lower rate of insurance in the future than someone that is  
5 using a cell phone.

6 BOARD MEMBER SUMWALT: Fascinating. There is  
7 an incentive for you right there. So, very good.

8 David, I think another thing you have on  
9 your -- in your tool kit, if you will, on your website is  
10 sample policies that corporations could adopt -- could  
11 implement good distraction-related policies. Can you  
12 talk a little bit about that?

13 MR. TEATER: Yes, the policies are really kind  
14 of simple. And, the best one I have seen, there's just five  
15 circumstances -- five situations -- and this company, it's  
16 a Fortune 50 company that's had the policy for nine or ten  
17 years. They say an employee of this company may not use a  
18 phone while driving any way, shape, or form, hand-held,  
19 hands-free, talking, texting, nothing.

20 If any one of these five situations exist, if  
21 they're driving a company vehicle, if they're driving their  
22 own vehicle but it's on company business, if they're on  
23 company property, if they're using a company owned or  
24 leased phone or if they're using their own phone but it is  
25 a company business call, any one of those five conditions,

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1 they can't do it.

2 And, again, this policy has been around for ten  
3 years. Our members, we have 20,000 corporate members and  
4 they're safety spokespeople, and several came to us about  
5 ten years ago and said, you need to look at the research  
6 on this. This is a new safety threat. This is something we  
7 haven't faced before.

8 And, we're seeing crashes. We're seeing the  
9 phones might have been involved. Some of the research  
10 that's been discussed here had come out about that time.

11 And, you know, I'm surprised. When I first got  
12 involved in this, I was surprised how many companies have  
13 what we call total ban policies. These are handheld,  
14 hands-free, all employees.

15 I will say as just a challenge to everybody here  
16 in the room, I mean, ask yourselves what kind of policies  
17 your companies have? You know, I'm aware that there are  
18 several organizations in here that prohibit some cell phone  
19 use but allow, maybe even encourage hands-free use or  
20 certain kinds of calls.

21 Now, I know NTSB doesn't. You guys put a policy  
22 in place a long time ago. We have and I know others have.

23 But, you know, if we're going to be leaders on  
24 this business, you know, do we really want our employees  
25 out listening in on conference calls while they're driving

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1 around or doing dispatching for insurance claims or  
2 whatever the case may be?

3 So, that's a way that we can all lead on in this,  
4 put a policy in place. The private employers led the way  
5 on seatbelts are what I've been told. They had seatbelt  
6 policies long before there were seatbelt laws. We can do  
7 the same thing here.

8 BOARD MEMBER SUMWALT: If somebody wanted to  
9 look at these sample policies that you have, specifically  
10 how can they go about getting that?

11 MR. TEATER: nfc.org is our website and we've  
12 got all kinds of free -- we've got a policy, downloadable  
13 policy kit. We're going to have an assessment tool on what  
14 kind of policy you have and should have. We've all the  
15 research is on there, nfc.org, find distracted driving in  
16 that.

17 BOARD MEMBER SUMWALT: All right, thanks.

18 And, Caitlyn, we know it's one thing to have the  
19 policy, it's another thing to really enforce it. There are  
20 probably a lot of policies out there with organizations  
21 that are sort of wink-wink, nod, and nod. They're there  
22 to protect us, if you will that, oh, we have the policy and  
23 we can't control our employees. Whatever they do, that's  
24 their business. But, what are your thoughts on that?

25 MS. STEWART: You know, I go back to something

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1 that was said earlier about why these policies are put in  
2 place. I think that, you know, within AWO's membership, our  
3 members take real pride in being industry safety leaders  
4 and they care about the people that they put on their  
5 vessels.

6 And so, the impetus for enacting these policies  
7 is not -- I wouldn't characterize it as wink-wink, nod-nod.  
8 I think that there's a real emphasis on building safety  
9 cultures and that's a top-down proposition.

10 And so, there's a real commitment to putting the  
11 right policies in place and to ensuring that crew members  
12 are given, you know, every tool that companies can to  
13 educate them and to ensure their compliance.

14 I think the real problem is one of enforcement  
15 and one of changing behaviors, as we discussed this  
16 morning. I think that for -- and I think Mr. Bates  
17 mentioned this as well, for people who perhaps don't  
18 understand the extent to which PED use could distract them  
19 from their duties, it's difficult to convince a that person  
20 when they're on board at a towing company that they need  
21 to change behavior in order to operate vessels safely.

22 BOARD MEMBER SUMWALT: To your knowledge, how  
23 much of your towing business is conducted through cell  
24 phones? In other words, do your masters of your ships and  
25 your helmsmen, are they required to make phone calls or is

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1 all of that done with a radio? Two-way radio?

2 MS. STEWART: It varies from company to  
3 company. There are certainly companies who use portable  
4 electronic -- who use cell phones to conduct company  
5 business within the wheelhouse, whether that's giving  
6 orders or other things. That certainly does occur, but it  
7 varies from company to company.

8 BOARD MEMBER SUMWALT: Great.

9 So, we've heard from the maritime industry,  
10 we've heard from the airline folks. Let's go back to the  
11 rail perspective.

12 I think some of this, Chip, you might have  
13 already talked about.

14 But, Norfolk Southern, what sort of  
15 policies -- I guess really it's mandated by that Emergency  
16 Order 28 that so you don't even have to have a company  
17 policy, I guess, because the federal regulations have taken  
18 care of it. But, what can you add to that?

19 MR. FEININGER: The federal regulations really  
20 tell us -- they give us our guidance for what we have to  
21 do. We have historically been a little more conservative  
22 than the federal regulation.

23 We are taking a look at policies now and we're  
24 saying, okay, what's good for the company and what's good  
25 for the crew?

1           We also have to look at policies to put into  
2 place how crews can be contacted. There are going to be  
3 emergency situations and families are going to have to get  
4 a hold of them.

5           Our company will stop a train. If we know that  
6 there's an employee that has an emergency contact from  
7 home, we'll stop a train, we'll relieve the train crew if  
8 we need to and that train will sit until we recrew it. That's  
9 a big commitment from Norfolk Southern. And, every time  
10 that train stops, it's costing money.

11           BOARD MEMBER SUMWALT: So, we know that there's  
12 federal regulation that prohibits the use of personal  
13 electronic devices in the cab of a locomotive. We know that.

14           And, but now, how about if there's a maintenance  
15 away crew that's driving out to work on a signal or  
16 alongside the track? What policies would your corporation  
17 have in place to prohibit their using a phone or to  
18 discourage their using a phone while they're driving to the  
19 location?

20           MR. FEININGER: We do have policies in place  
21 that say that they can use it hands-free. And then, some  
22 of our departments, like our engineering department drives  
23 vehicles that are over 26,000 pounds, so they are covered  
24 by a lot of the federal motor carrier stuff.

25           But, we don't allow our people to -- our craft

1 people driving big trucks to use cell phones at all, period.  
2 They have to stop; they have to have a job briefing with  
3 everybody that's in that crew before -- inside the cab of  
4 that vehicle before they make any phone calls.

5 BOARD MEMBER SUMWALT: So, I'm going to ask  
6 rhetorically, and thanks for your answer, if the train crew  
7 kills one person while driving a train, is that different  
8 than if a maintenance away worker is driving and has a wreck  
9 and kills somebody in the car?

10 There's no difference. And so, that's what I  
11 find a lot of times are that companies have apparently  
12 different levels of safety that they are willing to say,  
13 well, the federal law says this, so we are going to do that.  
14 But we are going to do something different with respect to  
15 other modes of transportation.

16 And, I don't get that. And, that's what we want  
17 to do. We want to -- that's part of the cultural change that  
18 I want people thinking about that as a result of today.

19 It doesn't matter how somebody dies. We've got  
20 to prevent it all together. There should be an equivalent  
21 level of safety regardless of which mode of transportation  
22 you are in.

23 Okay, who wants to comment on any of that?  
24 Because it's after lunch and I'm not seeing a lot of hands  
25 going up. And I don't tap dance version well, so God bless

1 you. Thank you, thank you, Debbie.

2 MS. PICKFORD: Well, I couldn't stay out of the  
3 insurance piece, but I want to talk switch the topic a tiny  
4 bit just to talk about kind of public outreach efforts.

5 And, I know everyone in this room is very  
6 involved in public outreach efforts when it comes to  
7 distracted driving. So, we do a lot at Allstate and we do  
8 the Telemedics, we talked about that.

9 But, we do a lot around just bringing these  
10 simulators to communities, at large-scale public events,  
11 talking to public, going into schools. A lot of time on the  
12 ground talking to the public about distracted driving.

13 We also do that internally with our own claims  
14 employees, our own employees, our leadership. So there's  
15 a lot going on with just public outreach and education and  
16 that kind of thing.

17 But, I'm going to hand us over to Janet Brooking  
18 from Drive Smart Virginia. Sorry to put you on the spot.  
19 I want her to talk about the enormous amount of work Drive  
20 Smart does in reaching out to workplaces around workplace  
21 policies because they have done an excellent job.

22 BOARD MEMBER SUMWALT: Thank you.

23 MS. BROOKING : Thank you, Debbie.

24 We actually receive a sizable MTSA grant to work  
25 specifically with workplaces. And, it's a really neat

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1 model. I'm not sure how many other states are doing it. But  
2 we do train the trainers, we do -- we put toolkits together  
3 on Distracted Driving Awareness Month, on sharing the road  
4 with bikes and pets, sharing the roads with large trucks.  
5 And, these are all available free for download.

6 I do a decent amount of public speaking and we  
7 just have about I would say 300 to 400 companies that we  
8 work with on a regular basis to disseminate this  
9 information. So it has been a very successful program for  
10 us in Virginia.

11 And, another thing that we've done is we are now  
12 having, to my knowledge, the only distracted driving summit  
13 in the nation that's state centered. And, Jennifer can  
14 probably speak to that if I am incorrect. But, that's sold  
15 out every year that we have done it. Member Sumwalt has  
16 spoken at that. And, that has been a tremendous resource  
17 for workplaces as well.

18 So, we see the workplace as a huge captive  
19 audience for change.

20 BOARD MEMBER SUMWALT: Thank you for what  
21 you're doing.

22 Charlie?

23 MS. KLAUER: So, I just have a question to pose  
24 to many of the speakers here that talked about different  
25 policies that different companies have developed, as well

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1 as different agencies. And, one of my questions is, is  
2 there -- has there been ways to measure or better measure  
3 compliance to these policies as well as different ways that  
4 they're written that yields better compliance?

5 BOARD MEMBER SUMWALT: Can anybody answer that  
6 before we go on to Dana because she had a comment?

7 MR. TEATER: Yes, I can address that.

8 Compliance is measured various ways. It's  
9 probably not as hard as you might think it is. If a policy  
10 is introduced the right way and a company is very, very  
11 severe about it, you know, the CEO of Owens Corning  
12 introduced a policy about a year ago and in a company-wide  
13 speech, he said, I've now gone 90 days without any use  
14 whatsoever of a cell phone. If I can do that, you can do  
15 it.

16 The CEO of Royal Dutch Shell looked into a  
17 camera doing a worldwide safety stand down and said any  
18 employee of Shell who makes the decision to drive while  
19 using a phone has made the decision to no longer work for  
20 our company.

21 All crash -- every time there's a crash or a  
22 claim, cell records are pulled. Employees agree to that in  
23 advance as a part of -- and then there are all kinds of  
24 ongoing education efforts.

25 And, the thing that we find is when people go

1 cell free for a while, I mean, you think you notice bad cell  
2 phone drivers now, when you're not distracted by a phone,  
3 you will see about ten times as many and it'll start to scare  
4 you a little bit and you become advocates.

5 And then, the other thing I'll just say is is  
6 for businesses, probably 80 to 90 percent of the phone calls  
7 are with colleagues and customers. They can't do that  
8 anymore, colleagues and customers, no; we have a policy  
9 against it.

10 So, it's actually pretty easy to enforce,  
11 easier than you might think.

12 BOARD MEMBER SUMWALT: Thank you.

13 I'm going to go to Dana.

14 MS. SCHRAD: One of the things that we know is  
15 enforcement, and we tell them all the time, that they  
16 are -- they need to be a models of good behavior. Because,  
17 if they're going to enforce the law, they need to comply  
18 with the law.

19 So, even though we have exceptions in many of  
20 our state laws that say that, you know, certain things like  
21 cell phone use and everything, that law enforcement doesn't  
22 have to comply with that.

23 We encourage our agencies to model that good  
24 behavior because I hear it all the time. Drivers see a  
25 police officer using a cell phone while they are driving

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1 and that negates right there the message of enforcement  
2 that we're trying to make sure that we can carry out in a  
3 balanced and accurate way.

4 So, we actually, through our law enforcement  
5 challenge program, which many of our states have their own  
6 programs, we started it in Virginia more than 25 years ago,  
7 and there's a national program. One of the things that we  
8 do is, first of all, many of our agencies have gone to either  
9 having policies that they tell their officers I don't want  
10 you using your cell phones while you drive and it's an  
11 enforced policy within their law enforcement agency or  
12 they've gone to some kind of Bluetooth arrangement to try  
13 to minimize the distraction. And, of course, we know that  
14 that's just a small step, but it's a step in the right  
15 direction.

16 And, then through some of our law enforcement  
17 challenge awards programs, when they have great traffic  
18 safety programs and they have good policies in place, they  
19 get points for that in our challenge programs. And, we end  
20 up rewarding them and giving them recognition for their  
21 efforts as good traffic safety partners themselves. So, we  
22 hope that helps to move our law enforcement folks into a  
23 good posture as modeling good behavior.

24 BOARD MEMBER SUMWALT: Jack, please?

25 MR. HANLEY: Well, thank you. I'm going to

1 take a slightly different vent.

2 I spent actually a career in industry as a  
3 commercial person. And, what we haven't talked about here,  
4 which I think for an employer, is critical. And, I'll  
5 begin by saying, that in all likelihood, for most employees  
6 in this country, driving is the single most risky thing they  
7 do every single day. I mean, you start with that premise,  
8 all right, that's number one.

9 Number two, if you are a CEO, that CEO can resist  
10 a lot of things. But he can't or she cannot resist the  
11 numbers.

12 And, if you just bear with me for a minute,  
13 assume for the moment, a company has 10,000 occupational  
14 drivers. They're leasing 10,000 vehicles. Well, we know  
15 that on average, 20 percent of those vehicles will be in  
16 a collision a given year.

17 And, if we assume that they are all only bent  
18 metal, never mind injury, never mind fatality, that's plus  
19 or minus, from NTSA, as a matter of fact, about \$16,000.00  
20 per vehicle.

21 You all of a sudden 10,000 times \$16,000 is \$32  
22 million. That's the cost. How much in revenues do you need  
23 to generate recover \$32 million at a ten percent net income  
24 after tax? Three hundred and twenty million dollars.

25 So, you tell a CEO, invest a little money and

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1 we can save you a ton of money. And, that's one approach  
2 to take to an employer to engage that employer in road  
3 safety.

4 BOARD MEMBER SUMWALT: But is a flaw with that,  
5 the old argument is, it'll never happen to me? I mean  
6 don't -- if people really thought it was going to happen  
7 to them or to their company; they would be more aggressive  
8 with it?

9 MR. HANLEY: The answer is yes and no. The  
10 answer is that in many instances for an employer, the cost  
11 associated with the collision is not necessarily collected  
12 in one bucket. It is allocated across the corporation.  
13 Nobody really knows it.

14 So, what happens? You will either have a CEO  
15 who comes from a culture of compliance, safety compliance  
16 with an embedded safety culture.

17 There's reason Dupont, right, has an imbedded  
18 safety culture. They used to blow plants up 150, 200 years  
19 ago, so it's in their DNA.

20 There are other companies that don't have that.  
21 What is required? A lot of patience, Dave Teater talking  
22 to them or Ashley talking to them or a galvanizing  
23 catastrophic event that wakes them up overnight.

24 BOARD MEMBER SUMWALT: Good points.

25 Silence. Paul?

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1 MR. ATCHLEY: I just want to touch briefly on  
2 one thing that Dave said about the myth of productivity,  
3 you know, going back to the brain for a second.

4 You know this area of the brain we talked about  
5 the pre-frontal cortex which is literally the last thing  
6 to get wired in us, it wires when you're 23 for women and  
7 25 for men, which is why men do stupid things for longer  
8 than women, because it's responsible for inhibiting things  
9 like bad behaviors.

10 It's also responsible for task switching; we  
11 saw a very nice demo of that earlier. And, it's  
12 responsible for picking up on the emotions of others.

13 We're doing work in our laboratory where we have  
14 people negotiate while they're driving. We see a 30 percent  
15 reduction in negotiation performance when people are  
16 trying to, quote, multitask, doing business while they're  
17 driving. It's a huge effect.

18 BOARD MEMBER SUMWALT: I would love to have -- I  
19 know you just said it, but I'd love to see something that  
20 can show that, because that, there again, that beats down  
21 this, well, I am losing productivity myth. It would be great  
22 to have that.

23 MR. ATCHLEY: I'll tell my graduate student to  
24 work a little bit faster.

25 BOARD MEMBER SUMWALT: That would be, you know,

1 that's fascinating. You do lose some performance while  
2 you're driving and trying to talk and you wouldn't want  
3 somebody, as you said, eating hamburgers and that cartoon,  
4 that would be a great cartoon.

5 So, anybody else have anything to say?

6 Ed?

7 Janet? Please.

8 MS. BROOKING: I just had a quick question  
9 regarding the national perspective. But, I am the current  
10 president of the American Society of Safety Engineers in  
11 my area and have been working a lot with OSHA and safety  
12 managers and such.

13 I'm wondering whether there's been any effort  
14 to pursue federal regulations under the OSHA umbrella for  
15 traffic safety as part of occupational safety and health.

16 BOARD MEMBER SUMWALT: That is a great  
17 question. Who knows the answer to that?

18 MR. TEATER: I kind of know the answer.

19 The only thing I'm aware, OSHA under the general  
20 duty clause has said that they will cite companies that,  
21 as part of their work process, encourage texting or  
22 emailing while driving. But, I think that's as far as it's  
23 gone at this point. I'm not aware that there are any plans  
24 to go further than that.

25 BOARD MEMBER SUMWALT: So, under the general

1 duty clause of OSHA 19 -- was it 1910 or whatever it happens  
2 to be. Okay, good. Thanks.

3 Ed, we' all let you wrap it up. I know that clock  
4 says we have five minutes that one says we have eight, but  
5 we'll let this be the last comment so people can kind of  
6 stretch between panels.

7 MR. HUTCHISON: I was going to point out that  
8 especially with law enforcement, the amount of technology  
9 that's built in as a distraction in doing your duties, you  
10 know, we train on that. We provide, you know, model  
11 policies. We built it into the procedures, but, you know,  
12 we still have distracted driving problem with law  
13 enforcement.

14 And, we just -- for the National Sheriffs  
15 Association, and I know this is a concern for other sister  
16 associations like ours is, are we doing enough? So, I just  
17 wanted to point that out.

18 BOARD MEMBER SUMWALT: Are you doing enough  
19 within your own ranks is what you're talking about? Not  
20 from the enforcement side --

21 MR. HUTCHISON: To self-regulate --

22 BOARD MEMBER SUMWALT: Yes, to self-regulate.

23 MR. HUTCHISON: -- those activities.

24 BOARD MEMBER SUMWALT: Great point.

25 So, I see some sleepy eyes and it's that

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1 circadian trough right now that we're all right in the  
2 middle of or just beginning. So, why don't we take a ten  
3 minute break or nine minutes. Let's be back at 1:50 and  
4 we'll start with the fifth panel of the day.

5 (Whereupon, the above-entitled matter went off  
6 the record and resumed at 1:50 p.m.)

7 BOARD MEMBER SUMWALT: Okay, we will get  
8 started in about two minutes.

9 I did not hear any objection about taking a  
10 break.

11 So, a couple of things. If you don't have a  
12 critique sheet, raise your hand and Carrie Bell will bring  
13 one to you. There's Dr. bell in the back. Anybody not have  
14 one? And, if you have good critiques, you can fill out a  
15 couple of them.

16 No one needs the critiques? If you need some,  
17 there will be some extras back on the table, I guess.

18 Okay. So, we're really down to the fifth  
19 track. And, joining us for this introduction to future  
20 endeavors and challenges, we have Mike Brown from NTSA, Dr.  
21 Paul Atchley from Associate Professor of Psychology at the  
22 University of Kansas and Janet Brooking. Janet will be  
23 here in just a second. She's the Executive Director of  
24 Drive Smart.

25 I think that this is conversation can sort of

1 be the beginning of the end, if you will. It can kind of  
2 be the beginning of the beginning. It will be the  
3 beginning of the payoff from today's discussion where we  
4 start looking ahead and saying where can we go from here?

5 So, Mike, I'd like to start out with you. With  
6 everything that you have heard so far, where do you think  
7 we're going to be with respect to -- and, I realize you're  
8 more on traffic safety and we're multi-modal here, but  
9 where do you suspect we'll be in the next five or the next  
10 ten years with respect to distractions in transportation?

11 MR. BROWN: Well, in deference to my colleague  
12 to my right, I will definitely learn how to do my alphabet  
13 and my counting a little better in synchronization.

14 Anyway, you know, there's some great discussion  
15 here today. I'd like to frame my response a little bit. And,  
16 when you ask where we're going to be in five years, we really  
17 have to look at it from what we are trying to target to do.

18 I mean, the modes are different but the modes  
19 have to -- and they have different regulations and  
20 different control factors and different motivations.

21 Many of the modes, that are in DOT that work in  
22 this particular area have a degree of regulatory authority  
23 that allows them to do things that we in NTSA can't do for  
24 the general population except as it applies to equipment,  
25 because that is the authorization that's given to us.

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1           But, regardless of whether you're looking at a  
2 regulatory agency -- an agency that's being -- an entity  
3 or community that's being regulated or the community at  
4 large, I think what we've discovered here is -- and, it's  
5 something that we're very focused in on, and that's  
6 changing -- finding the hook to change the behavior.

7           And, as we've heard here today, there's  
8 different motivating factors and different hooks for  
9 different communities. Employers have one thing.

10           I know Ed and I were just at the IACP,  
11 International Association of Chiefs of Police Highway  
12 Safety Committee this weekend and they talked about it, and  
13 there's all sorts of things that are out there.

14           But, as Jennifer mentioned earlier, we really  
15 apply the model, and we're in the infancy stages of this,  
16 that was used in the impaired driving program.

17           I made my first arrest for driving under the  
18 influence as a member of the California Highway Patrol in  
19 the '70's. And, to be honest with you, it was hard to find  
20 somebody under being a 2.0 when you stopped them. There  
21 were just -- there were a lot of drunks out there.

22           And our -- and if you think about how we've come  
23 in that respect, we just released the report on our roadside  
24 survey which indicated there's been an 80 percent decline  
25 in the presence of alcohol on our roadway since 1973.

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1           Now, how did we get there? We got there  
2 certainly with strong laws and we got there with, of course,  
3 you know, good enforcement and prosecution. A different  
4 type of law. These are generally misdemeanors and felonies  
5 not infractions like distraction is unless, of course,  
6 there's injury or death.

7           But, the thing that really changes is we changed  
8 the culture. And, it took us 30 years to do it. It is no  
9 longer acceptable now to be -- getting in a car, whether  
10 it's an employer's vehicle, and which, by the way, there  
11 was no prohibition even in Highway Patrol back then -- from  
12 getting in a non-marked vehicle while you were impaired.  
13 That changed radically.

14           And, that was not uncommon in the employer  
15 section. So, we've gone from where it was tacitly approved  
16 to where it's totally socially unacceptable.

17           Now, I'm going to give credit to a couple of  
18 different things. Certainly, the issue of the education  
19 piece. Vince and Larry did their thing for a good piece of  
20 time and I get that, but they carried the needle only so  
21 far and that's the social norming messaging that we all do.

22           We did a lot of peer work. We did peer support  
23 programs. We did work with SADD, we worked with noise, we  
24 worked with, and you know, FALCO, all the groups.

25           The problem that we've run into, though, is that

1 you've got to make it personal. And, the folks in this  
2 particular case that made it personal were MADD.

3 I was in the committee room when Kandi Lightner  
4 made her first testimony in Sacramento, California in the  
5 legislature. I was staff supporting our legislative unit  
6 on the area of impaired driving.

7 And, by the time she finished, there wasn't a  
8 member on that dais and what is now the Jess Unrey  
9 (phonetic) \*\*\*4:59:12\*\*\* room, that was not willing to pass  
10 a bill, put it on the Governor's desk by the end of the week.

11 Now, some may call it shaming, some would call  
12 it discussed; some would call it culture or whatever else.  
13 There are several people on this dias who have had that  
14 opportunity of taking up that challenge and have tried to  
15 motivate them.

16 But, that's what makes it personal. I mean, we  
17 were talking -- Dr. Atchley and I were talking about how  
18 you make the change. And, you know, everybody's got a story  
19 about somebody they know with an impaired driving issue.  
20 Not everyone has that story with, you know, distraction.  
21 Not that I want to exploit that, but that has to be part  
22 of it.

23 And so, we at NTSA are looking at a number of  
24 things. We're certainly using high visibility model,  
25 we're doing a lot of educational pieces. We've had -- and

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1 funny, I was looking around the room here and I think we  
2 have agreements with almost all of you or have had, some  
3 of them on this issue because we recognize that no one  
4 agency is going to make that change.

5 But, ultimately, what we need to be able to do  
6 is we need to be able to change the belief structures that  
7 we've talked about earlier in terms of the program. And,  
8 there is no one agency, there's no one company, there's no  
9 one entity that is going to do that.

10 And so, I think -- well, what we've been working  
11 on is trying to strategically develop how we create that  
12 over the next five years, maybe even ten years. This is a  
13 long-term battle.

14 And, as most of this is on a national level, but,  
15 I'm encouraged by the discussion. Because, again, I know  
16 many of you and I know you're passionate about this issue  
17 and I thank you for that kind of support on this issue  
18 because it does affect the ability to people get home at  
19 night safely.

20 BOARD MEMBER SUMWALT: Well, I think that  
21 putting a personal face on things is so important. And,  
22 unfortunately and fortunately, we have people that are  
23 willing to take tragedy and try doing something good with  
24 it. But, they've nevertheless suffered a tragedy. But, I  
25 want to thank you for your commitment to take something bad

1 and try to improve it.

2 Joel, would you be willing to put a personal  
3 face on this?

4 MR. FELDMAN: Sure. So, it was five years ago,  
5 my daughter was crossing the street in Ocean City, New  
6 Jersey. It was broad daylight and she was in the crosswalk  
7 and a 58-year-old man who was reaching for his GPS, ran into  
8 her and killed her. And, since it wasn't a motor vehicle  
9 in a van, she didn't go up onto the hood and fall off, she  
10 was run over.

11 So, I can tell you that before that happened,  
12 I used to drive distracted all the time. And, being a  
13 lawyer, I mean I remember a case, a dump truck was coming  
14 in one direction and my client's car was going the other  
15 direction, and this is how the guy testified in court. I  
16 saw a pretty girl; she was in tight short shorts. She was  
17 walking into a 7-Eleven and I did this.

18 He crossed over the center line, hit my client's  
19 car and he killed their four-year-old son. It's an awful  
20 tragedy, but when I left, I was on my Blackberry and I was  
21 looking at emails because we don't think it can happen to  
22 us.

23 So, people ask me -- and I was at dinner last  
24 night with Paul Atchley and Dave Strayer, and, you know,  
25 Dave had said to me, gosh, it must be so difficult to talk

1 about your daughter. And, you know what? It isn't because  
2 as a parent, I'm afraid that my daughter's life will not  
3 have meant anything.

4 So, when I get to talk about it and I get to have  
5 the help of everyone else with her life making a difference,  
6 I mean that's helpful to me, it's helpful to a parent. It's  
7 helpful to someone who's lost a loved one.

8 But, I struggle. You know? Every single day  
9 I'm alive, my daughter is dead. I have a future and she  
10 doesn't. And, there are so many questions.

11 How could this happen to her? Why did this  
12 happen? And, they're never going to be answered. Not to my  
13 satisfaction.

14 But, having something like this take place  
15 where we're all here, and yes, there are some disagreements  
16 on stuff. You know, I get that. But, there's so much we  
17 can do and for us, knowing that -- for me, my child and,  
18 you know, something good is going to come out of it, that's  
19 really important to me. That's what motivates me to do it.  
20 That's why I work harder on this than anything I've ever  
21 worked at before and I really don't get tired doing it, you  
22 know, knock on wood, because April's going to be a busy  
23 month.

24 But, I love talking with teens. I'm excited  
25 about talking with teens. I'm so optimistic that our young

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1 people are going to change that culture of driving. When  
2 I talk with them and get the feedback and I just want to  
3 help them. I want to help the young people and I want us  
4 as parents and us as professionals help our children.

5 Because, my generation isn't going to change  
6 this, it's going to be the kids and we need to help them.

7 BOARD MEMBER SUMWALT: Thank you so much.

8 Thank you.

9 Jennifer?

10 MS. SMITH: So, my mother was killed by a driver  
11 talking on a cell phone in September of 2008. He never  
12 braked, he never saw her. Dave can also attest to the fact,  
13 he was the first family I ever reached out to and talked  
14 to.

15 But, what carries me on going day-to-day is  
16 every day I take a new phone call from a new family. I get  
17 a new email. Those phone calls take an hour and a half, two  
18 hours because they've never had anyone to talk to.

19 And, to hear the initial crash is one thing.  
20 But, the aftermath of what it does to your lives, your  
21 families, it's hard to deal with every day. And to see this  
22 continuing to happen, there's like a piece of guilt, I've  
23 heard people say. I don't know if Joel's felt it, but every  
24 time there's a new crash, we feel like we haven't done  
25 enough to stop it.

1           So, that's why I can be very aggressive at times  
2 with some of this stuff but it is truly out of the place  
3 we don't want anyone to walk in our shoes.

4           BOARD MEMBER SUMWALT: A year ago, it was  
5 probably April 2nd or 3rd of last year, I was on a webinar  
6 with David Teater and we were, of course, talking about  
7 kicking off Distracted Driving Awareness Month. And he  
8 described an event in his neighborhood. Well, he said that  
9 that's really what got him thinking about this. But, I knew  
10 that that event in his neighborhood was a lot closer to home  
11 than that.

12           MR. TEATER: You know, I'm going to take a bit  
13 of an exception with my friend, Mike. I'm not sure this  
14 is just like the drunk driving. Yes, I've got some  
15 feedback.

16           You know, there's a lot of similarities, there  
17 really are. But, there may be some major differences and  
18 we've kind of touched on them a little bit here today.

19           I don't know, and I wasn't in the business back  
20 then, you were, but I don't know if you had the alcohol  
21 industry heavily funding several research institutes that  
22 were saying publicly, it's not that bad.

23           And, I think that's what we have in distracted  
24 driving. We've got an unsettled research community that's  
25 slowing the progress on this. And, you know, I've been doing

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1 this a long time and I'm getting a little tired. We've made  
2 some progress but not nearly the progress I would have  
3 thought.

4 When I see the infotainment systems going into  
5 vehicles with no testing whatsoever, and NTSA not in a  
6 position to do anything about it. Research institutes  
7 saying that as long as your hands are on the wheel and your  
8 eyes are on the road, you're safe.

9 And, as some of you know, I mean my wife was  
10 taking my 12-year-old son to an after school activity. She  
11 was crossing a major intersection with a green light. She  
12 was the third or fourth or fifth car in line, it was bumper  
13 to bumper traffic.

14 She crossed two southbound lanes coming from  
15 the other direction. And, in the right southbound lane  
16 where four cars and a school bus stopped for the red light.  
17 There was nobody in the left-hand lane.

18 A young lady talking on a phone and looking  
19 straight out the windshield, one hand on the wheel, both  
20 eyes on the road blew past four cars and a school bus, didn't  
21 see the red light, didn't obviously see them stopped,  
22 didn't see the cars passing in front of her bumper to bumper  
23 and hit our vehicle right where my 12-year-old son was  
24 sitting and killed him.

25 The crash recorder on the vehicle said she never

1 touched her brakes. And, there's no such thing as cognitive  
2 distraction? I mean, come on.

3 We've got 60 years of cognitive neuroscience  
4 that has known that you don't see everything in front of  
5 you when your mind is engaged in stuff and we are loading  
6 up vehicles with this kind of stuff. We're making it normal  
7 is what we're doing. How are we -- the toothpaste is coming  
8 out of the tube, we're not going to get it back in unless  
9 we do something today.

10 So, sorry, impassioned speech, but you all know  
11 why I've been following it.

12 MR. BROWN: Excuse me, Member; may I kind of  
13 respond to that a bit? Because Dave is a friend and we've  
14 talked about this several time over pizza one time in  
15 Chicago.

16 And, I understand and I have empathy for his  
17 issue. And, I guess from a personal note, in fact, I told  
18 that night; I said I got tired of knocking on doors in the  
19 middle of the night telling people that they had lost a  
20 loved one. I don't care what the cause was; it's not a fun  
21 thing to do.

22 But, the real issue here is, you know, where are  
23 we going? What do we need and how do we need to get, you  
24 know, and how do we get there?

25 And, I would, again, take issue with my good

1 friend Dave on one thing. When you think about where we were  
2 four or five years ago and where we are today in the area  
3 of just discussing it and the national attention and now,  
4 through Map 21, the funding that we have to do certain  
5 things, for example, the major campaign and Distracted  
6 Driving Month, you know, that we're going to do this coming  
7 month and starting it here today, that's huge.

8 And, especially given the conflict that we've  
9 had with regards to disputing what to believe in the  
10 research.

11 One of our discussions earlier talked about the  
12 standard that is -- and I appreciate you recognizing the  
13 nuances for NTSA in regulations that are across the board  
14 for any federal regulations. There is such a duty and  
15 standard of care in terms of presenting information that,  
16 you know, concrete science that -- and when there's  
17 disputes on measurement and stuff, that makes it difficult  
18 to get through the review process, but that doesn't mean  
19 we're giving up and not doing things.

20 As many of you know, NTSA has a strategic plan  
21 that its developed for some time and there are four elements  
22 to it.

23 And, one is to deal with the issue of in vehicle  
24 guidance for in vehicle technology which we have issued.

25 Another is nomadic devices which are

1 problematic because of the technology involved, but we're  
2 working on it.

3 And, the third is conspicuity which our new  
4 administrator, in particular, has asked us to look at it.  
5 So, we are looking at that.

6 But, we're also looking to the academic world  
7 and many of the folks that are up here, we've had briefings  
8 from and everything else; to help us, give us some guidance.  
9 Because, we know we have -- we can come up with theory or  
10 use one study or another, but when there's disputes in the  
11 science, the methodology and the measurement which is still  
12 an unknown, it's a research question for us and there's not  
13 even agreement except for the fact that we now that  
14 distraction is bad. No one disputes that. It's the  
15 matter of how we prove it in order to survive the regulatory  
16 process and how we can get the compliance that we need.

17 BOARD MEMBER SUMWALT: So, let's continue this  
18 theme.

19 I suggested early on that and the panel this  
20 morning or in the discussion that we need a cultural change  
21 with respect to this. We need to make it socially  
22 unacceptable to operate a vehicle, and when I say vehicle  
23 I mean a vehicle for transportation, a train, a plane,  
24 automobile, tugboat, what have you, it needs to be socially  
25 unacceptable that you're not going to -- socially

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1 unacceptable to do that. If you do that, you're kind of  
2 an outcast. And, we have affected such changes.

3 So, Paul, I want to ask you, what are the biggest  
4 obstacles to achieving this social change that I'm saying  
5 we need?

6 MR. ATCHLEY: There are a few obstacles. I  
7 would say the one thing I have learned as a cognitive  
8 scientist over the last 25 years is the most amazing ability  
9 of the human brain is the ability to fool itself. We fool  
10 ourselves by thinking that we can see far more than we can  
11 see and that we can do. We fool ourselves into thinking we  
12 understand the risk.

13 You know, when a parent sends their 16-year-old  
14 son or daughter out on the roadways without really thinking  
15 that much about what's going on, it doesn't occur to them  
16 that it's the single riskiest thing that that child is going  
17 to be doing as and they're more likely to die in a car crash  
18 than the next three causes of death combined because our  
19 brain can't wrap itself around really understanding that  
20 level of risk.

21 We think that our attitudes are consistent with  
22 our actions, but, in fact, they're not. In all the work  
23 we've done with the people that we work with, college students  
24 typically, will tell you that distracted driving are worse  
25 than drunk driving.

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1           You know, Mike mentioned 1973, there was a study  
2 done on drunk driving in 1973 with crash scenarios and they  
3 found that if there is a weather component in a crash,  
4 people would blame the weather and not drunk driving.

5           And, we do that study again now and what we find  
6 is that people will blame the drunk driver as opposed to  
7 the weather, which is great. It tells us that attitudes  
8 have shifted.

9           But, here's what's really interesting, good  
10 news and bad news. When we say instead of a drunk driver  
11 it was someone who was texting their girlfriend, they  
12 actually tell us that that person who was texting was more  
13 responsible than the drunk driver for the crash.

14           And yet, when we asked them to punish that  
15 driver, they actually still punish the drunk driver more  
16 both in terms of fines and jail time.

17           What we have is a disconnect between what  
18 society is telling us is acceptable. Laws are put into  
19 place because they provide injunctive norms to tell us what  
20 is right and wrong. And, because laws have not been put into  
21 place that are strong and enforced, the messages being sent  
22 to our brains saying that this is a problem, we know it's  
23 a problem but we really don't think we need to do anything  
24 about it.

25           And so, when a younger driver or an older driver

1 or a mom gets n that roadway and she or he uses a phone,  
2 they recognize the risk but a part of their brain says, it's  
3 okay because no one else thinks that this is really a  
4 problem.

5 The strange thing about the brain is, it's  
6 easier to change behaviors than it is to change attitudes.  
7 Think back to drunk driving.

8 When Mike was on the road in California and you  
9 were drunk, you might get pulled over and say, ma'am, sir,  
10 let's get you home tonight safely, you don't look like  
11 you're doing really great. Now, it's a very different  
12 experience because Kandi Lightener and when she lost her  
13 daughter, held people to task for laws that have been on  
14 the books since 1914 in some states for drunk driving.

15 That change in law and the subsequent  
16 enforcement caused people to go through a dilemma. Either  
17 I'm changing my behavior because I only do what the man  
18 tells me or I'm changing my behavior because I think it's  
19 the right thing to do to not drive while I'm intoxicated  
20 and I will do the right thing because I'm a good person.

21 Unfortunately, we don't have the messages yet  
22 that, beyond just education at that enforcement level to  
23 get behavior to change so that attitude and culture will  
24 shift to match what people already know to be something  
25 that's completely wrong.

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1 BOARD MEMBER SUMWALT: How do we get to that  
2 point where we're changing the behaviors and attitudes?

3 MR. ATCHLEY: I think we have to recognize  
4 something that's very important, that this device right  
5 here is a drug delivery system. This device is capable of  
6 delivering dopamine to your brain whenever you want it.

7 When the device goes off, it's telling you that  
8 someone in your social network who knows you is trying to  
9 reach out and contact you. That makes us feel good.

10 When we pick it up and I say, oh, it's Mike, he's  
11 texting me, I wonder what he has to say? He's a  
12 really -- he's a great guy, he's a good sport for  
13 participating in the demo and he was like that, I will point  
14 out, like a 19-year-old in terms of his cognitive  
15 flexibility. It makes me feel good to see his face.

16 And then, when I text something back to him  
17 about what I'm doing, I get a huge rush of dopamine. This  
18 device and devices that are being built into vehicles to  
19 allow us to do similar kinds of things are enabling us to  
20 do the one thing our brain wants, which is reward itself.

21 So, I think the first thing that we have to  
22 recognize is that this threat is unlike any that we've ever  
23 faced with the exception of alcohol to people that have a  
24 problem with alcohol. Because this is what your brain wants  
25 more than anything.

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1           We have to admit that and we have to start asking  
2 the question, what's more valuable, safety or being  
3 connected? Once we come to grips with that problem and we  
4 recognize that no matter how -- and we can debate the effect  
5 size of how risky it is to use one of these devices, that  
6 no matter how much more risk is incurred by using this  
7 device in a vehicle, it will not outweigh the benefit  
8 that -- the risks will always outweigh the benefit you get  
9 from being able to update your Facebook or tweet.

10           And, once we come to that value statement then  
11 I think we can do the real work, which is changing the laws  
12 and then changing the culture.

13           BOARD MEMBER SUMWALT: Ken, I'd like to give  
14 you the opportunity to weigh in on this because you're part  
15 of this panel and go ahead.

16           MR. BROOKING: Well, I -- just fabulous, by the  
17 way, that my fellow panelists have done such a wonderful  
18 job here.

19           But, when I looked at this subject and I thought  
20 about my approach toward it was much more tangible as far  
21 as what are the direct steps, I should say, it was much  
22 tactical so to speak. So, from my perspective, in five to  
23 ten years, what we need to have is an organized, high  
24 visibility law enforcement campaign.

25           And, Mike has told me that there actually is one

1 that is launching this year for the texting ban states. And,  
2 I think that a high visibility enforcement is very, very  
3 critical to us, moving forward to address the issue.

4 I think also the thought about, you know,  
5 reaching out to OSHA and looking at workplaces as a captive  
6 audience and understanding -- I saw Dave Teater speak at  
7 Lifesavers, and he recognizes very much that the workplace  
8 could be part of the solution here and we really need to  
9 look at that as a way to sort of change behavior and get  
10 to what Paul was talking about.

11 Victims and their families, I mean that was  
12 another thing that in the five to ten year approach, I think  
13 that we really need to look at the MADD model and emulate  
14 that and as far as distracted driving is concerned.

15 So, those are some of the things that I think  
16 are absolutely critical. And, I think that coming out of  
17 this roundtable, we need to look at perhaps some sort of  
18 national organization or national entity that continues to  
19 have these discussions and that has again a tangible list  
20 of strategies or results that we hope to get out of it.

21 And so, those are my thoughts.

22 BOARD MEMBER SUMWALT: Thank you.

23 Andrea?

24 MS. BRANDS: Thank you.

25 Andrea Brands, AT&T.

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1 I just wanted to say that, you know, and Janet,  
2 I heard you touch on this a little bit, and I'm thinking  
3 the more that I hear about compulsion or addiction,  
4 whatever word we should be using for that, I keep thinking  
5 that public health -- a public health approach might be one  
6 that we would want to look at.

7 And, I know that we talked about it when, you  
8 know, Jeff and I were in your office and Nicholas was  
9 looking at someone, and I really feel strongly that that  
10 might be an area that could really help us, you know, shift  
11 the thinking and the way that we approach this.

12 There was an article in the New York Times  
13 yesterday where there was an epidemiological study down in  
14 Texas and they actually, you know, studied the behavior of  
15 people at traffic or at stop signs. And, you know, I think  
16 some of the findings might surprise, you know, some of you.  
17 So, if you haven't seen it, I would encourage you to look  
18 at it.

19 But, I just thought it was really an interesting  
20 approach and something to consider that I'm getting from  
21 this conversation.

22 BOARD MEMBER SUMWALT: And so, basically,  
23 you're saying there needs to be just as we've sort of  
24 declared war on drugs and we've made a public health issue  
25 with not wearing seatbelts. And, I think the last Surgeon

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1 General said that guns were a public health issue.

2 And, I think you're saying that the issue of  
3 distractions in transportation needs to be in that same  
4 category?

5 MS. BRANDS: That's what I'm thinking.

6 BOARD MEMBER SUMWALT: Who would like to weigh  
7 in on that?

8 Debbie?

9 MS. PICKFORD: Here I am again.

10 You mentioned when you -- in your opening  
11 remarks about the anti-smoking kind of campaigns. And this  
12 reminds me a little bit of where we're trying to go.

13 It is long-term, but I think it was the legacy  
14 campaign is what they called it, but a long-term view with  
15 a lot of players, take some money, and take some advertising  
16 to really change these social norms.

17 And, I remember the smoking. You know  
18 everybody smoke everywhere as you said. And, it took a  
19 while, it took 20, 30 years, hopefully, this won't take that  
20 long, but anyway, some kind of multifaceted, multiplayer  
21 campaign I think is what's needed. It needs money, too.

22 So, I would be in favor of that as well.

23 BOARD MEMBER SUMWALT: Jennifer?

24 MS. SMITH: The medical community is actually  
25 very interested in getting into this. We work on a grant

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1 with Shriners hospital where we're doing college-aged  
2 awareness program because no one speaks to you again once  
3 you graduate high school about driving safety.

4 And, once we actually can get them captive, it's  
5 been very positive. And now, Shriners system wants to get  
6 more into it.

7 The trauma surgeons, the emergency room  
8 technicians, they are all very much involved in this issue.  
9 We go to hospitals and do lunch and learns. So, that  
10 community does want to be brought into the issue more and  
11 it's just getting them into this.

12 BOARD MEMBER SUMWALT: Thank you.

13 Anthony?

14 SGT MENDEZ: Anthony Mendez, Delaware State  
15 Police.

16 I want to just piggyback what I guess Dr. Paul  
17 Atchley on the end; you mentioned the dopamine in the brain.  
18 And, I don't know that whatever we try to do here as far  
19 as enforcement tactics, cultural change and things of that  
20 nature is going to be more powerful than what you say is  
21 going on in the human brain.

22 Personally, from an enforcement perspective,  
23 adults, teenagers will try to lower the phone further  
24 alongside their thigh so I can't see it, different  
25 techniques which make their driving worse when they're

1 trying to conceal a phone.

2 And, you mentioned public health, a public  
3 health type thing. I honestly feel that it's going to take  
4 something extremely high profile to happen with many  
5 fatalities and it's going to -- something needs to be done  
6 with the technology to disable the phone when it reaches  
7 a certain mile an hour.

8 And, I know that is bad for passengers, it's bad  
9 for teenagers in the backseat, but I just feel that the  
10 ultimate power is the technology who designs these phones  
11 or who provides the carrier, whether it be AT&T, Verizon,  
12 Sprint, whatever, when it reaches a certain mile an hour,  
13 cut off the digital data off. I mean start off with that,  
14 start off with cutting the data, the texting data, leave  
15 the cellular feature because you have to start with baby  
16 steps.

17 If you're going start, don't just take the cell  
18 power, the phone ability away, start with taking your  
19 texting and your Internet and your Instagram and your  
20 Twitter away to where you can only make a call as a baby  
21 step at a certain mile an hour, whether it's 10, whether  
22 it's 15 miles an hour, it stops and it stops -- you can't  
23 send a text if you're going over 15 miles an hour. You  
24 can't receive a text. And, that will be your cultural  
25 shock when people can't use their phone when their driving.

1 But, with the dopamine and all the pressure that  
2 you're under to -- I'll be honest with you, when I get a  
3 text, I'm like, oh, who is it? You know? I'm just the --

4 Everything that Dr. Paul Atchley said on the  
5 end, I feel when you get a text and I'm 45.

6 How can we expect a 16-year-old to not feel ten  
7 times worse than that? And, I don't think anything we can  
8 do can change that. I think it has to come from technology.

9 BOARD MEMBER SUMWALT: So, that's interesting.  
10 You're proposing that it's going to take a technological  
11 change to solve a technological problem. So, that's  
12 interesting.

13 And, you may well be right. I know that there  
14 are apps out there and AT&T has it and does others.

15 SGT MENDEZ: I just don't know that an app's  
16 going to be what it takes. It's going to be somebody more  
17 powerful than an app. Because an app is too discriminatory.  
18 You can turn it off, you can not do it. You know, it's got  
19 to be from somebody that's making these phones or somebody  
20 that's powering the phones.

21 BOARD MEMBER SUMWALT: Thank you very much.

22 Jack?

23 MR. HANLEY: Thank you.

24 I'd like to -- looking down five years from now,  
25 I'd like to suggest that employers have a monumental

1 opportunity here. I want you to think for a minute, we have  
2 a population of about 315 million people. If you back out  
3 of our employment, we have a total population of 315  
4 million, if you back the maybe the non-farm labor out, we  
5 have about 145 million human beings employed in this  
6 country.

7 And so, an employer can have a direct influence  
8 on pretty close to half of our population in terms of their  
9 distracted driving behaviors, all right, to begin with.

10 I've already addressed what happens in terms of  
11 occupational drivers were, in fact, the company has direct  
12 rulemaking, lawmaking authority. But, they can certainly  
13 influence all of their other employees.

14 And, I'll also make the case that within NETS  
15 members, Nationwide is an example. Nationwide is on NETS  
16 board of directors. They take their road safety to all of  
17 their employees, you know, not the ones just driving on  
18 behalf of the company but the ones who commute.

19 And, then there are other companies who take the  
20 next step. And that is, what can we do for the families of  
21 our employees?

22 And then all of a sudden, you get into what I  
23 call corporate social responsibility because, let's face  
24 it, it is a fundamental human right for us to be able to  
25 get on the road and drive down the street or bicycle or a

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1 walk and not have that fear of being killed. I consider that  
2 a fundamental human right.

3 And so, the employer can theoretically, if you  
4 follow this construct, have a direct influence on 100  
5 percent of our population.

6 BOARD MEMBER SUMWALT: You know, that's so  
7 true. September 8th of 2009 when Debbie Hersman (phonetic)  
8 \*\*\*5:26:54\*\*\* stood right here and she was sworn in as  
9 Chairman of the NTSB, and she said, here is our policy and  
10 she laid it out. And, I can tell you, it changed my behavior  
11 and I'd like to think that it changed the behavior of  
12 everyone else in the Agency.

13 So, you are right and so, thank you for those  
14 comments.

15 So, Paul had his hand up and so, go right ahead.  
16 We've got --

17 MR. ATCHLEY: I'll keep it brief.

18 I think we're looking at a three-legged stool  
19 without one of those pieces; it's going to fall over. We  
20 have to have education, we have to have legislation and we  
21 have to have enforcement that means something.

22 You know, education by itself is not enough  
23 because attitudes are disconnected from actions.  
24 Enforcement without a reason for doing something won't  
25 work. And, we can't have enforcement without good laws.

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1 It's going to take an effort across all three to be  
2 effective.

3           The idea of using norms to change behaviors is  
4 good. But, as you point out correctly, that by it won't  
5 necessarily change behaviors because this is such a  
6 powerful driver for us.

7           We need all three of those things in order to  
8 have long-term effects. And, if we look at three examples,  
9 we can see why we need all three things, smoking, seatbelts  
10 and drunk driving.

11           In all three of those cases, it wasn't just  
12 education. Look at smoking, we had education for a long time  
13 and it wasn't until there was this creeping kind of rule  
14 set of you can't smoke on airplanes anymore, you can't smoke  
15 in the building anymore, you can't smoke in the bar anymore,  
16 where people were forced to change their behavior that then  
17 their attitudes started to shift and then smoking  
18 decreased. It wasn't because of education; it was because  
19 of change and behaviors.

20           Seatbelts, 20 percent seatbelt use with laws,  
21 it wasn't until Click it or Ticket kicks in until we were  
22 starting to see 85 to 95 percent. Drunk driving, something  
23 similar.

24           This is no different than any of those three  
25 things. And if we try to do it differently, then those three

1 efforts, but do it the right way at the end rather than  
2 stumble along until we get to the end, I think we won't have  
3 a very good or a very quick solution to this problem.

4 BOARD MEMBER SUMWALT: Well, thank you.

5 What I'd like to do is, I know there's plenty  
6 more comments, but we are time for a break.

7 If you look at the agenda, it says we've got a  
8 30 minute break and the reason for that is that there were  
9 going to be some media opportunities.

10 What I'd like to do instead is just do a 15  
11 minute break and if some of you would like to get in your  
12 media opportunities now, you can. If not, we'll do it at  
13 the end of the day.

14 But, nevertheless, let's break until 2:45. And,  
15 let's come back prepared, go grab a cup of coffee and let's  
16 be prepared to continue this discussion about where we're  
17 going from here.

18 So, we'll see you again at 2:45.

19 Thank you.

20 (Whereupon, the above-entitled matter went off  
21 the record and resumed at 2:45 p.m.)

22 BOARD MEMBER SUMWALT: Okay, if everybody  
23 would take your seats, we'll be ready to wrap this thing  
24 up.

25 Okay, so what I'd like to do is just go by -- take

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1 ten minutes per track and if we don't need ten minutes,  
2 we'll move on. But, I think one of the worst things to happen  
3 would be for people to walk out of here and either think,  
4 you can think, oh, this was good and then nothing happened  
5 or you can walk out and say that was just a waste of time  
6 and have nothing happen.

7 So, what I want to do is sort of memorialize  
8 things. Amy is back there in the back taking notes. I  
9 want to memorialize some things that are on your mind for  
10 moving forward. I really do want to move the needle.

11 I talked to Nicholas and I say, Nicholas, I  
12 think there's a difference between advocacy and activity.  
13 And, I want to make sure this is not just an activity, I  
14 want to make sure that this truly is advocacy and is moving  
15 the needle towards disconnecting from deadly distractions.

16 So, does that sound good?

17 I want to -- I'll just see if I can figure out  
18 how to set this clock again and we'll just take ten minutes  
19 and if you have something you'd like to say about the first  
20 track about what we can do for moving forward, that first  
21 track was the science of distractions.

22 So, who would like to comment on that?

23 David?

24 MR. TEATER: Yes, one of the things I'd like to  
25 suggest to those folks who have money in the room and some

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1 of the scientific community is, you know, there's really  
2 only one form of research looking at distractions that has  
3 looked at real crashes. I know a National Safe Driving study  
4 is trying to do it, but they just don't get, in fact, I  
5 don't think there has been a single fatal crash as an  
6 example.

7 So, the only one that's really looked at real  
8 crashes are EPPI studies and we've had two of them that have  
9 been done. The most recent one was over ten years ago  
10 before we even had texting.

11 I really think it's time that we consider doing  
12 maybe another large scale EPPI study. It could be possible  
13 that we could do one around fatal crashes. Wouldn't that  
14 be interesting to know, you know, what role distraction has  
15 in that?

16 If anyone wants to get on board with that, we're  
17 going to look at that at NFC over the next year and I think  
18 it would be a great step in moving research forward on  
19 distraction.

20 BOARD MEMBER SUMWALT: Do you have the funding  
21 for that?

22 MR. TEATER: We do not have the funding  
23 although, I think it would be relatively easy to get. The  
24 bigger challenge is going to be study design to make sure  
25 we've got a design that will actually answer the questions.

1 BOARD MEMBER SUMWALT: So, you think we need an  
2 epidemiological study?

3 MR. TEATER: Yes, for example, I mean and  
4 Adrian and I talked about this, and of course, IIHS did a  
5 groundbreaking one ten years ago now. But, you basically  
6 need two things, you need the exact time of the crash and  
7 you probably need at least cell records, maybe a few other  
8 things. And those, two things aren't easy to get.

9 But, you know, again, things have changed in the  
10 last ten years. The subject has changed, the interest in  
11 the subject has changed, and technology has changed  
12 dramatically. Maybe there's a way to do that now.

13 BOARD MEMBER SUMWALT: Does anybody in the  
14 research community -- Steve, would you like to weigh in on  
15 that and David?

16 MR. CASNER: Yes, sir.

17 I'm a little less interested in documenting the  
18 problem, because I think we've done a lot of that. I'm more  
19 interested in moving on to solve the problem.

20 The phrase that sticks in my mind, that echoes  
21 in my mind is, Paul Atchley's one, the idea of fooling  
22 ourselves in that we think we can multitask and we  
23 think -- 90 percent of us think we're in the top 10 percent  
24 of everything.

25 MR. STRAYER: It's higher than that.

1 MR. CASNER: It's higher than that. Okay, 95  
2 percent of us think we're in the top. It's crazy. To err  
3 is human, but not me. How do we get past that? And, is it  
4 possible for people to reach some new awareness about that  
5 or at least stop acting on it?

6 I think of things like other areas where we've  
7 seen behavioral change, like recycling was the example I  
8 came up with in front of the TV camera. Somehow, lots and  
9 lots of people now are now recycling. And, we just put it  
10 in the culture and put it in people's attitudes. How do we  
11 grab some of that success and get ourselves to think about  
12 our own cognitive capabilities and changing ourselves?

13 BOARD MEMBER SUMWALT: David?

14 MR. STRAYER: I think actually to start with in  
15 terms of what David just mentioned, it would be really  
16 important to have a modern version of the epidemiological  
17 study that used cutting edge methods.

18 But, I mean then ten years or almost 15 years  
19 ago, the people who were using cell phones and the  
20 technology used was radically different. So, you know,  
21 relying on that is kind of a mistake.

22 I guess actually, one of the worries I have is  
23 that to some extent, we're dealing with yesterday's  
24 problems. We've been doing a lot of work looking at the new  
25 vehicles and the new vehicles; they're wired with all kinds

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1 of visual and manual cognitive sources of distraction.

2 I was watching some of the ads and so they're  
3 actually showing teenagers now being -- using Facebook,  
4 using the technology that's embedded in the car to update  
5 Facebook.

6 So, if you want to talk about low hanging fruit,  
7 I don't even think its visual distraction. That's clearly  
8 an issue we need to address. The low hanging fruit, to some  
9 extent, is we need to basically discourage the automakers  
10 from putting every piece of electronics that they can into  
11 the car because that seems to be what's happening right now  
12 is that there is -- it's being put into the car and not  
13 sometimes it's thoughtful but sometimes it's just put in  
14 the car and enabling behaviors that are just simply unsafe.

15 BOARD MEMBER SUMWALT: So, what would NTSA's  
16 role be in that, Mike?

17 MR. BROWN: Well, we do have the ability to  
18 regulate certain specific things in the vehicle and new  
19 vehicle technology. There have been conversations with the  
20 industry, both of nomadic devices and with the automobile  
21 industry as well as this.

22 As I've mentioned before, we have some guidance  
23 that was agreed upon to deal with the auto industries on  
24 vehicle technology platform. We're in the process of doing  
25 the nomadic one now. It's not easy and I'm sure it doesn't

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1 please everybody but there is some things that we can do  
2 within the constraints that are given us in the  
3 authorization.

4 I, too, have seen the same things that many of  
5 you have seen. The ads, I mean, it's hard to miss them, and  
6 they're out there in prime time and whatnot. The real  
7 question is, what do those technologies have or what role  
8 do they play in terms of, you know the problem?

9 These technologies, in many cases, are new and  
10 there is no real research on that, which we talked about.  
11 Well, there's David's. I know, I'm just teasing you a  
12 little bit, David.

13 But, the real question is, do we want to wait  
14 for that study or do we also want to concurrently do some  
15 of the things that are really important, and that is finding  
16 out what is the, as far as the technology goes, what is the  
17 compelling feature, be it physiological or psychological,  
18 that makes people want to make the decision to operate this  
19 technology?

20 If that's, in fact, the case and we can  
21 understand more about that, then we can potentially develop  
22 interventions either technical interventions, or more  
23 importantly, some kind of public health intervention  
24 that's going to get people to educate and make different  
25 decisions like we have in so many of the other successful

1 programs.

2 That's a big research question because the  
3 technology is new; it's even new to us when it gets to the  
4 marketplace. And, you know, it's hard to keep up with some  
5 of that technology because it's moving so quickly.

6 And, the other part is, the public wants it  
7 which goes to this whole --

8 MR. STRAYER: What we've actually found in our  
9 studies is that people over 35 are not too keen on that  
10 technology. In some cases, they actually find it awkward  
11 to use and the people who are younger who most likely like  
12 that, don't buy those new cars. So, I'm not sure it's not  
13 one of these things where they're putting technology out  
14 there without any demand immediately.

15 MR. BROWN: Well, I'll leave that for the  
16 industry to talk about on marketing because it's really  
17 kind our outside of where we're going.

18 MEMBER SUMWALT: So, Charlie, please?

19 MS. KLAUER: So, to Mike's point, I think that  
20 there is -- and David's point -- there's a lot of new  
21 technology coming into the vehicles all the time. So, it's  
22 not just wireless devices. It's a wide variety of other  
23 things that we need to be starting to address. We have to  
24 look more forward than just wireless devices

25 In the data we have and we see we see teenagers;

1 we see adults and them -- crashes and even near crashes are  
2 very rare. So, they're texting, they're doing a wide  
3 variety of things, they're eating sandwiches, they're  
4 reaching for things and they do it successfully and they're  
5 getting reinforced. And, that's like the crux of this  
6 behavior.

7 The dopamine issue, the addiction issue is that  
8 they do it and they do it successfully, repeatedly until  
9 they don't and then it's a very huge problem.

10 And so, we need to start looking at how to pull  
11 those things apart and willingness to engage is a big  
12 component that we know nothing about, you knows nothing  
13 about willingness to engage. We know nothing about  
14 self-regulation.

15 Are those drivers that don't have these  
16 problems, are they regulating themselves better than  
17 others? And, those are some of the research questions we  
18 need answered. But we also need technological solutions to  
19 help educate people that these types of behaviors are, in  
20 fact, risky.

21 BOARD MEMBER SUMWALT: Thanks.

22 By the way, we've got the timers that have been  
23 set instead of my trying to use the iPad. So, everybody  
24 can see those.

25 So, the question I have, does anybody disagree

1 with a thing called the cognitive distraction? Does anybody  
2 really fundamentally disagree with that?

3 I was just curious. I did not know if -- okay,  
4 so, all right, there's a cognitive distraction, and I think  
5 we all accept that

6 How about the hands-free meth, as I call it? Is  
7 there disagreement on that? I mean I've seen studies that  
8 say, you know, the crash risk is four times -- please, go  
9 ahead, Charlie -- four times whether you're handheld or  
10 hands-free, so what do you say about that?

11 MS. KLAUER: We have done recent research with  
12 NTSA looking at integrated hands-free versus, you know,  
13 personal hands-free, which is just like an ear piece versus  
14 handheld. And, what we're seeing is that the truly, truly  
15 integrated hands-free, the one button press, the not  
16 monkeying around with trying to get an ear piece on  
17 your -- or an ear bud in your ear, the truly integrated  
18 hands-free systems did not appear to increase crash risk.  
19 So, that is what that study showed.

20 There have been other studies by various people  
21 who have shown different types of results, David Strayer  
22 being one of them, Insurance Institute being another, but  
23 that they did with MIT. What the MIT study did show is that  
24 eyes off road time did improve. It did improve.

25 I think technology is not there yet. We're not

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1 there. It needs time to develop and then we can -- we need  
2 to wait to answer that question.

3 BOARD MEMBER SUMWALT: So, your mouth is moving  
4 faster than my brain. And so, but that's a function of me  
5 and I need some dopamine or something right now or caffeine  
6 or something that rhymes with that.

7 So, if you have the truly integrated hand  
8 device, you're saying that there -- tell me that one more  
9 time? If it's truly integrated --

10 MS. KLAUER: The research has shown that the  
11 truly integrated hands-free devices did not increase risk  
12 of crash or near crashing.

13 BOARD MEMBER SUMWALT: Right. And, so what I'm  
14 trying to find out is, people say I think that's almost the  
15 opposite of what I'm trying to say.

16 So, people say -- that are they -- is the crash  
17 risk about the same? You're saying that it doesn't  
18 increase the crash risk for hands-free, but people are  
19 saying that laws that say we're going to outlaw handheld  
20 and not hands-free. I say they're sending the message  
21 because they think that hands-free is safer. But, you're  
22 saying, well, it doesn't increase the crash risk. Is it at  
23 least equal?

24 MS. KLAUER: That's correct, it does not  
25 increase risk. That is what the analyses show that the truly

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1 integrated hands-free systems do not increase risk above  
2 not talking.

3 BOARD MEMBER SUMWALT: Now, that's radical.

4 MR. CASNER: That seems to contradict the very  
5 suggestion of a cognitive distraction.

6 BOARD MEMBER SUMWALT: Right.

7 MR. CASNER: That seems to contradict the very  
8 idea that there's a cognitive distraction associated with  
9 conversation, doesn't it?

10 MR. TEATER: Yes, I think it does contradict  
11 that very clearly. And, I am guessing, Dr. Klauer, this was  
12 a National Institute driving study and I am guessing you  
13 didn't have any fatal crashes, is that correct?

14 MS. KLAUER: That is correct.

15 MR. TEATER: Did you have any crashes?

16 MS. KLAUER: Yes.

17 MR. TEATER: Did you have any injury crashes?

18 MS. KLAUER: I do not remember. This was not  
19 done by me.

20 MR. TEATER: Okay.

21 MS. KLAUER: However --

22 MR. TEATER: Here is one of the huge concerns  
23 with this form of research. We know at the National Safety  
24 Council, do you know what one of the worst predictors of  
25 fatal crash is? An injury crash. Totally different, they're

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1 totally different circumstances. Injury crashes tend to be  
2 in cities at lower speeds, fatal crashes are on highways  
3 in rural areas and virtually all of the National Institute  
4 driving work that's been done that's contradicting 70 years  
5 of cognitive neuroscience is based on these things called  
6 near crashes or safety critical events. No one's ever been  
7 hurt in one of those ever. And we have no evidence that  
8 they're good proxies of a crash.

9 MS. KLAUER: Well, so there are two things I  
10 would say to that.

11 The first is, is that we see the same  
12 performance decrements that are measured in simulators and  
13 on test tracks. We see those same types of  
14 performance -- driving performance decrements when drivers  
15 are talking on a cell phone, when they're talking on an  
16 integrated cell phone.

17 What we are not seeing is the translation to  
18 increased crash risk to the same degree that we see when  
19 they're eyes are off the roadway. That's what I'm saying.

20 So, there are performance decrements, so we  
21 know the cognitive distraction is there, it's just not  
22 translating into the crash rates that we see when they're  
23 eyes are off the roadway.

24 MR. TEATER: But, if you add prevalence to  
25 that, you know, and add the millions and millions of people

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1 that may be engaged in that less risky activity, it could  
2 be we have more crashes because you don't consider that at  
3 all.

4 And, quite frankly, there was at least one study  
5 where you guys said just the opposite and said in cases of  
6 truck drivers talking on the phone makes you safer because  
7 it keeps them awake.

8 MS. KLAUER: Well, for commercial vehicles,  
9 that is a little different.

10 MR. TEATER: No, you don't always see the  
11 degradation. You've said just the opposite and a lot of  
12 my clients, all the trucking companies I work with and count  
13 on that or don't put in policies that we believe are best  
14 safety practice based on that, even though it didn't not  
15 have any crashes.

16 BOARD MEMBER SUMWALT: So, David, I want  
17 you -- and, David Strayer, I'd like for you to weigh in on  
18 this and then we're going to move because we've blown past  
19 our ten minutes, and as we see, people have -- well, nobody  
20 feels strongly about this topic, right?

21 MR. STRAYER: No. So, when we've done studies  
22 and you look at the bulk of the literature, very clearly,  
23 there is no safety advantage for hands-free versus  
24 handheld. The brain is engaged in both cases, the  
25 cognitive distraction's the same. When we've looked at it

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1 in a variety of different ways, we find the same levels of  
2 impairment.

3 Now, we don't have the tools to be able to look  
4 at crash risk. I really think the best way to do that is  
5 to look at something like epidemiological kinds of studies  
6 where you have large numbers of samples and you can really  
7 ferret, you know, out all those details.

8 But, when you look at the brain and look at the  
9 distraction that's engaged in the conversation, it does not  
10 differ if it's a handheld or a hands-free cell phone,  
11 they're exactly the same.

12 BOARD MEMBER SUMWALT: And, I was having a side  
13 bar. It's the same crash risk between those two, is that  
14 what you said?

15 MR. STRAYER: So, we don't measure crash risk,  
16 we look at the other kinds of characteristics and things  
17 like following distance, brake reaction time, you know, the  
18 brain activity that we can measure. We see that those  
19 things are precisely the same for a handheld and a  
20 hands-free cell phone conversation.

21 When you're trying to look at, you know, the  
22 crash risk, I really think some of the best data are from  
23 the epidemiological studies where you have large data sets  
24 and you can kind of start to, not just a handful. Odds  
25 ratios are so sensitive to just a handful of events that

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1 you need to have good data, large amounts of data to be able  
2 to make sense of those odds ratios.

3 BOARD MEMBER SUMWALT: Thanks.

4 So, we do need to move, but I really would like  
5 to hear from AAA since you've just released your study.

6 I do want you to pull that micro very closely.

7 MR. GRABOWSKI: I just have a real question.  
8 How did you define a crash? Because that's an issue that  
9 I have.

10 MS. KLAUER: Any time there was a lose anytime  
11 physical contact was with another object that was  
12 measurable.

13 MR. GRABOWSKI: Was that including near  
14 crashes?

15 MS. KLAUER: No, near crashes was, it was  
16 basically a reaction that was a very, very severe reaction  
17 to a very close in proximity event.

18 MR. GRABOWSKI: And, what was the sample size  
19 on that?

20 MS. KLAUER: Which study?

21 MR. GRABOWSKI: The one that you described that  
22 there was no increased risk?

23 MS. KLAUER: So, that was what we -- it was a  
24 study conducted with NTSA. It was a cell phone pilot  
25 study. I am not the PI on that study and so, I am unsure.

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1 MR. GRABOWSKI: Okay, I'll look it up.

2 Thanks.

3 MS. KLAUER: yes, please, or else send me an  
4 email and I'll send you the link.

5 BOARD MEMBER SUMWALT: Okay, good thanks.

6 We'll start on the next track. So, is there one  
7 takeaway from that panel, from that discussion we just had,  
8 what would that takeaway be? Is it that the cognitive  
9 distraction does exist? I don't think anybody really  
10 disputes that there's a cognitive distraction. I mean no  
11 question. What would be the one takeaway from that last  
12 panel?

13 MR. ATCHLEY: I would say the absence of  
14 evidence is not evidence of absence. We make a mistake often  
15 times and we fail to find an effect and think that that means  
16 there's nothing going on.

17 Look at all of the smoking research that was  
18 done for half a century failing to find a connection between  
19 smoking and cancer.

20 So, I think we need to understand that when we  
21 look at research, it's something that we should look at in  
22 the broad sense across many methodologies, laboratories,  
23 points in time.

24 BOARD MEMBER SUMWALT: Yes, so, if we know  
25 there's a such thing as a cognitive distraction, then that

1 can't be good if you are operating a vehicle. Again, I've  
2 defined a vehicle as any mode of transportation.

3 I mean, if you were to just use common sense  
4 because you are distracted, that's going to impair your  
5 ability to operate the vehicle

6 I assume we've already gone into the next panel.  
7 I keep going back to the first one because I think the  
8 science of it is really sets the stage for everything.

9 Mike, go ahead, sir.

10 MR. BROWN: Well, Member, you're absolutely  
11 right. I mean there's some face validity to the fact that,  
12 yes, if you're not paying attention and driving, you're not  
13 safe. And, other behaviors take place.

14 And, we also I think everyone recognizes that  
15 there's an issue with regards to how you measure that. And,  
16 there's some disagreement with that. That's actually  
17 healthy to better understand exactly, you know, this  
18 problem and the scope of it.

19 The EPPI study that Dave suggested, we use EPPI  
20 studies, and we use naturalistic studies. We do laboratory  
21 studies depending upon the type of thing. And, there's work  
22 that's being done across the deal.

23 I don't think you'll find that there is  
24 consensus -- there's a disagreement about the fact there's  
25 the possibility of a cognitive distraction in a vehicle for

1 any number of things. The real question is how you measure  
2 it.

3 And, that's the debate that we've been hearing  
4 today. And, it's a robust I think research debate. And, I  
5 don't know, like you say, I don't know if we'll ever find  
6 an answer today. But, it's certainly a research question  
7 for the future.

8 BOARD MEMBER SUMWALT: We will actually go to  
9 track two.

10 So, Beverly, if you'll just reset the clock to  
11 ten minutes. So, we're officially now on track two.

12 So, what can we talk about as far as take home  
13 points on the technology and engineering?

14 David?

15 MR. WILSON: So, I would say that one of the  
16 take home points, perhaps the main take home point, is that  
17 yes, people get distracted in their vehicles. I think there  
18 is a clearly a consensus on that.

19 They get distracted for many different reasons.  
20 And, the one thing that all forms of distracted driving have  
21 in common is that they involve a driver. And, that the key  
22 to addressing the problem is addressing the driver's  
23 behavior.

24 And, to the extent we can use technology that  
25 can modify the driver's behavior, that that seems to be a

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1 good strategy for addressing the issue.

2 And, specifically, you know, technologies in  
3 the car that can look at the driver's behavior and alert  
4 the driver to the fact that they're doing something that's,  
5 you know, making them not pay attention to the road. So,  
6 have some sort of -- have the car take some sort of  
7 corrective action, you know, announce to them that, you  
8 know, hey, pay attention or do something to return the  
9 driver's focus to the task of driving seems to have a, you  
10 know, it seems to be a technological solution that has great  
11 potential.

12 MR. GRABOWSKI: So, 20 years ago, I started my  
13 career in research and I remember thinking to myself, wow,  
14 we just don't have enough data. And, fast-forward to today,  
15 we have a lot of data. And, I kind of wish my mantra at the  
16 time, I wish we -- and we don't have enough quality data.  
17 And, I think that's an issue that we do need to address.

18 We need better exposure data both for how much  
19 people drive as well as how much are they are talking on  
20 the phone. And, that's the denominator side.

21 On the numerator side, we need to know who was  
22 actually involved in a crash. And that would definitely  
23 help us, you know, figure out a few of the rates.

24 A few of the other things that I can see the  
25 future heading towards is understanding the limitations of

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1 technology and how do the sensors gather the data and  
2 provide that technology and with what kind of data?

3 And then also, how do drivers interact with the  
4 technology?

5 There's going to be a lot of unintended  
6 consequences that, you know, we won't be able to think of  
7 ahead of time, but we should be aware and have our eyes open  
8 for that.

9 Another thing is we definitely should keep in  
10 mind that some of the laboratory data is set in very  
11 precise, standardized parameters. But, when we take that  
12 technology and you put it out in the real world, it acts  
13 very different. And, we need to have some real world  
14 epidemiological studies or observational studies to really  
15 figure out, is this technology truly helping or not?

16 So, those are my brief thoughts on the future  
17 of research and technology.

18 BOARD MEMBER SUMWALT: Thank you very much.

19 Jennifer?

20 MS. SMITH: For the automakers, I would just  
21 like, for in the future, I think they need to be a part of  
22 this conversation, to be in the room with us having it since  
23 this is where all the technology is leading. And, they have  
24 been tweeting about this all day but they're not in the room  
25 as part of the conversation and solution. So, I think that's

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1 one big hurdle we've got to figure out how to get them to  
2 work with us.

3 The second, everyone keeps saying that we need  
4 to work on the driver first and fix the driver. I suggest  
5 we slow down the new technologies we are allowing into the  
6 vehicles until we make some more progress on that driver  
7 because we're just lending them so many more temptations  
8 that their brain cannot resist.

9 After I lost my mom, I'd get in the car and I'd  
10 just reach for my phone. It wasn't out of bed intention,  
11 it was something that I was conditioned to do.

12 And then, with the data part, I mean as Dave  
13 mentioned, himself and myself, we have been tracking these  
14 crashes for years and years. We have mountains of real  
15 life crashes that somebody just needs to look at.

16 And, I think it would solve a lot of these  
17 questions on what was the cause of the crash? What were  
18 the drivers doing? And all of that. So, the data is there,  
19 somebody just has to look at it.

20 BOARD MEMBER SUMWALT: Lori, please.

21 MS. MILLEN: Okay. One thing I did noticed,  
22 I've worked with the FCC. FCC regulates telecommunication  
23 devices. So, when you're talking about blockers, there are  
24 some blockers that you can have. The ones that are GPS  
25 related, a lot of times, you can't because you just can't

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1 unless you are in the Armed Forces.

2 So, maybe that somebody else when we're talking  
3 about people who need to be invited to the table, maybe they  
4 need to be here because they do have a clearinghouse where  
5 people who are coming up with new inventions, apps, ideas,  
6 all kinds of technology, they can send in information about  
7 the clearinghouse. And, that's something that the FCC does  
8 manage. So, that's another idea.

9 BOARD MEMBER SUMWALT: Thank you, thank you.

10 Chip?

11 MR. FEININGER: The rail industry has been  
12 spending tens of billions of dollars on positive train  
13 control over the last several years. The technology is out  
14 there, the technology to make our industry safer. And,  
15 we're starting to see all kinds of technology.

16 I heard somebody talking today about the  
17 self-driving car that Audi's putting out. All of those  
18 things are really cool and there are really neat stuff  
19 that's coming out and they can help. But they are not going  
20 to address the underlying issue that, regardless of how  
21 good the technology is, we're going to have crashes and  
22 we're going to have people die unless we get -- come to grips  
23 with the behavior.

24 But the sciences that Paul was talking about  
25 today how do us -- that's really the core of this to me.

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1 How do we continue to get people to want to act safely, to  
2 do the right thing because it's the right thing to do?

3 BOARD MEMBER SUMWALT: Sandy?

4 MS. SPAVONE: Just a few comments.

5 I think technology can also be a great solution  
6 for us as well. I know specifically working with myself as  
7 a person but working with teens, there are products. One  
8 is called self-control that you can plug into the portal  
9 of your car. It only affects the driver, so my passengers  
10 can still get on their phone and do whatever they want to.

11 But I don't have to remember to turn it on and  
12 turn it off when I get in the car. And, it's not GPS-based,  
13 so I'm not worried about where I am and all of that.

14 So, I think technology is very important to us.  
15 And, although all of us around this room value all of the  
16 research and the data and we believe that that's it, to the  
17 normal person and teen, the numbers and the data doesn't  
18 necessarily make them do something different when they get  
19 behind the wheel.

20 A lot of times, they are afraid of a ticket,  
21 they're afraid of a penalty. They are conditioned maybe as  
22 a child, that seatbelts are the thing I'm going to do, but  
23 I don't -- although it is validity for all of us, I think  
24 making sure that we're measuring the public -- it's the  
25 three stool piece, that education piece, is really

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1 important piece of that. So, I'm pleased that that's part  
2 of the conversation.

3 But, I hope that we -- it seems like this  
4 technology, to be able to control and help us make good  
5 decisions behind the wheel, it's been around, I think Dave,  
6 the first time I met you was when one of those was being  
7 released. But, they haven't been necessarily adopted by the  
8 public as a whole. And, I don't know if it's because they  
9 do not know about it or what that might mean, but I would  
10 like to see us do more to make people aware that it's a  
11 resource.

12 BOARD MEMBER SUMWALT: So, we've got about a  
13 minute and a half, two minutes on the panel. We can take  
14 a few minutes extra

15 But, I want to go back to this thing that I asked  
16 Paul Atchley earlier. And, I hear what Chip's saying that  
17 we've got to focus on the human and I keep hearing that.

18 And, usually I think when we focus only on the  
19 human, we're missing something, but yet, I can't think  
20 where else to focus on this kind of thing. Usually, I say,  
21 for example, in an accident investigation, that's what we  
22 deal with here. I say, well, if we're just looking at the  
23 human, we're missing something. We've got to look at the  
24 systemic issues.

25 But I don't know what the systemic issue is

1 here. So, assuming I've probably already asked this  
2 question and I think I did, but Paul, helps put a fine point  
3 on how we achieve that behavioral change that Chip was  
4 talking about?

5 MR. ATCHLEY: Yes, I think it really comes down  
6 to the idea of learning self-control and learning when  
7 self-control is not possible.

8 You know, when I take a phone near my vehicle,  
9 I have the implementation intention of never taking that  
10 phone in the vehicle with me in a place where I can use it  
11 because, despite knowing what I know, I recognize that my  
12 prefrontal cortex, the area of the brain that's responsible  
13 for inhibiting bad behaviors will be compromised when I'm  
14 trying to do the very complicated task of driving. And,  
15 despite what I know, I will not have the willpower to not  
16 look at that phone when it goes off.

17 So, I think we have to recognize that technology  
18 can solve problems. And, I'm not illiterate; I grew up in  
19 Silicon Valley. I was programming computers when I was  
20 seven, but, you know, using technology to solve the  
21 problems technology creates leads generally to more  
22 technology to solve those problems.

23 And, the thing that I really worry about is that  
24 as we begin to over -- if we were to over rely on using  
25 technology to solve these problems, what we're not doing

1 is training our children to actually make the kinds of  
2 decisions that they will need to make not only when they  
3 taking that phone in the car but when they're choosing to  
4 speed, when they're choosing to not drive drugged or drunk.

5 That is why changing human behavior is so  
6 important because we fool ourselves into thinking  
7 technology will help us; it's not going to happen to me.  
8 And, that fooling ourselves doesn't lead us to becoming the  
9 kinds of drivers that are safe.

10 BOARD MEMBER SUMWALT: As a psychologist, is  
11 such a behavioral change achievable in our society?

12 MR. ATCHLEY: Absolutely. We have plenty of  
13 examples. In a study I talked about where we asked younger  
14 drivers to rate crashes that involved either a drunk driver  
15 or a distracted driver clearly show that attitudes have  
16 shifted with regard to drunk driving because of education  
17 and enforcement. And we now treat those drivers very  
18 differently than we would have in 1973.

19 It also shows that people know how bad the  
20 problem of distracting driving is, and yet, there's a  
21 disconnect between knowing that and actually doing  
22 something about it.

23 We can make change. We've seen lots of examples  
24 of where that has happened. But, again, we need that  
25 three-legged stool in order to make it work to give us that

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1 support to make the change possible.

2 BOARD MEMBER SUMWALT: Thank you.

3 We're about 11 minutes into this panel so we're  
4 little over. But, I tell you what, we'll take one last  
5 comment and that will be from Bill Windsor from Nationwide.

6 MR. WINDSOR: All right, so, I noticed we had  
7 a lot of discussion about changing human behavior. And, I  
8 think one thing we have to consider is that humans are  
9 easily distracted. And, it might be almost impossible to  
10 change that.

11 So, one of the solution we should be looking at  
12 is how we might be able to protect them against themselves.  
13 And technology, crash avoidance technology being developed  
14 might really be a solution to really correct all types of  
15 distractions.

16 So, you asked earlier what the insurance  
17 industry is doing about this and one of the things we're  
18 doing about it is that we've invested really an expansion  
19 of IIHS in order to test crash avoidance technology and  
20 really advocate for its use on those technologies that  
21 successfully work to reduce crashes.

22 BOARD MEMBER SUMWALT: That's a great point and  
23 it really shouldn't be one or the other. I mean maybe a  
24 combination of what you're talking about, the crash  
25 avoidance technology and shoot for the behavioral change.

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1                   Meanwhile, get the laws, the visible  
2 enforcement and the education in place and maybe with a  
3 combination of all of that, we're going to get -- drive  
4 deadly distractions; we're going to drive that down.

5                   Fascinating discussion. We're about three  
6 minutes past this one. Why don't we move to the next track  
7 which would be education legislation and enforcement.

8                   So, who'd like to start off on that one? Joel?

9                   MR. FELDMAN: I really appreciate the  
10 opportunity to be here today and the collective wisdom and  
11 experience of everyone. It's great to see and I'm very  
12 optimistic about what we can do moving forward.

13                   I sort of chuckled to myself when you said we  
14 have all these experts here because I thought pretty much  
15 everyone else here is an expert and, you know, I'm the  
16 education person here. And, I don't fancy myself as an  
17 education expert.

18                   My daughter was killed by a distracted driver,  
19 I wanted to do something. I asked if there was  
20 research-based distracted driving programs out there and  
21 I was told no.

22                   The Children's Hospital of Philadelphia is in  
23 my backyard. I went to them and they were kind, but they  
24 were very straightforward. They told me showing gory  
25 videos, doing what I was doing, you know, doesn't get you.

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1 anywhere. They basically said, so what.

2 And, I've learned from that that we have to be  
3 able to measure what we are doing to some extent. And some  
4 of this is measurable, some may not be. And, there are  
5 people around here who can talk about that a lot better than  
6 I can.

7 There's all this research is being done. I had  
8 a conversation with Urich, the study that came out from AAA  
9 Foundations for driving safety, the videos that came out  
10 all over the news last week, it was incredible, the videos.

11 What I do is I take them and I show them to  
12 my -- teens, the college students probably noise kids,  
13 FCCLA kids, I show them it and I say, what do you think?  
14 The young ladies said, my God, I can't believe if you look  
15 away from the road for three or four seconds, you can get  
16 into so much trouble.

17 And, that was great, so, I'm going to work out  
18 a way that we can use that in our program.

19 On the flip side, the boys said, well, nothing  
20 serious happened. There were no terrible crashes. I guess  
21 they're may be desensitized by playing too many video  
22 games.

23 But, I knew I couldn't do these talks by myself.  
24 So, once Children's Hospital developed something, I found  
25 volunteers. I'm a lawyer, I reached out to lawyers. Within

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1 two weeks of reaching out saying, who will volunteer to talk  
2 with kids? Six hundred trial lawyers volunteered.  
3 Collectively, we've spoke with over 250,000 kids and we're  
4 going to speak with other 50,000 or 75,000 kids before this  
5 is over. I think I've spoken with 45,000 teens and kids  
6 in the last couple of years.

7 What I would like to see is the researchers, and  
8 I guess this is what you guys call this applied research.  
9 When you come up with something, tell me. And, actually,  
10 Deb Trombly (phonetic) \*\*\*6:23:48\*\*\* from the NSC said  
11 maybe she would do this, not to volunteer her, but she  
12 volunteered herself. When something comes out, say, hey,  
13 you people who are in the field, you could use this. I mean  
14 that's what I am doing now and I'm getting better at it,  
15 but this is not my background, you know, and I am just trying  
16 to do the best I can.

17 I also want, if we can have these programs,  
18 because there are a lot of programs out there, a lot of  
19 people are telling their stories and all, and I think we  
20 need to have somebody come along who's going to say, hey,  
21 this works and maybe this doesn't work.

22 We hear a lot of things about fear appeals.  
23 Maybe they're the best way to reach kids. But fear appeals  
24 are going on all over the time, over the place. That's what  
25 I want; I want somebody to help out with that.

1           And, to go back to what Sandy said, Anita said,  
2 the teens will get this. Friends don't let -- I go into  
3 presentations now and I say at the end it, friends don't  
4 let friends drive and I stop, and you know what they tell  
5 me, drunk or distracted. And they are going change it, I  
6 said that before. But, we need to rely upon them.

7           I'd also like to see somebody come up, because  
8 in our presentation, we do videos that we have, I'd like  
9 to have sponsored videos from kids to show it's cool to  
10 speak up when a friend drives distracted, that friends  
11 don't let friends drive distracted.

12           I'm tired of self-funding it, to be honest with  
13 you. I'm a private individual; I've spent close to  
14 \$50,000.00 or \$60,000.00 paying Children's Hospital to  
15 come up with a presentation because one did not exist. I  
16 do not think that is my obligation as I'm sitting around  
17 here.

18           We've introduced a whole bunch of things that  
19 they've said based upon their initial analysis and I want  
20 somebody to come along and I want to test it or test somebody  
21 else's program. I'll give anybody's program, if somebody  
22 says, it's going to work, I'll go out and I'll do it.

23           Thank you.

24           BOARD MEMBER SUMWALT: Joel, thank you.

25           Lori?

1 MS. MILLEN: Just and FYI, what you were just  
2 talking about, we have resources on top of resources on top  
3 of resources. We put them up on distraction.gov, we've put  
4 them up on trafficsafetymarketing.gov. We have faces of  
5 distraction, we have viral videos of Liz and Betty they were  
6 involved in a -- Liz was in a really terrible crash.

7 We have presentations. We've used the stuff  
8 from NETS, we've translated that into Spanish. We have,  
9 again, we have all kinds of presentations for students,  
10 educators, parents, teens and there's another one, I can't  
11 think of right now, all downloadable, all public domain.  
12 You don't have to pay for it

13 It may not be exactly what you want to use, but  
14 it is a good building block. We designed the pieces so that  
15 people can use them the way they are, they can build on them.

16 MR. FELDMAN: Have you guys -- I'm sorry to  
17 interrupt -- have you guys done at least pre and post  
18 presentation surveys to see if they actually work?

19 MS. MILLEN: We've done surveys about the  
20 messaging when we do the campaigns. But, again, the  
21 materials are designed for people to use them as they are  
22 or they can adapt them. They are templates. We've created  
23 templates.

24 MR. FELDMAN: Do we have templates that are  
25 some suggestion they are effective in changing people's

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1 attitudes and behaviors?

2 MS. MILLEN: No, they're education tools.

3 MR. BROWN: The actual -- the major draw that  
4 they use in the communications piece is a communications  
5 major which is different than what we've been talking about  
6 over here on the research piece that has a different  
7 methodology, different reliability standard. They do  
8 generally focus group testing and they measure it against  
9 other surveys they've done for certain groups that they're  
10 trying to target in the message.

11 What you're going to is kind of what we were  
12 talking about later, and that is what connects with the  
13 various groups in terms of a message. You know, from the  
14 standpoint on this issue, because of the potential dynamics  
15 and the connectivity between the individual and the  
16 technology. You know, and that's a different story but,  
17 you're right, that may be a research question.

18 BOARD MEMBER SUMWALT: So, I want to go to  
19 Anita, you wanted to talk about educating the youth and then  
20 Jennifer had some comments and then we'll go over to Ed.

21 But, Anita?

22 MS. BOWLES: One of the areas and challenges in  
23 the education that I think is an ongoing area that's a  
24 challenge that we haven't really addressed today is the  
25 inconsistency in driver's education across the board.

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1           And also, that parents, they really believe  
2 that driver's education courses are teaching their youth  
3 what they need to know in order to be safe drivers, just  
4 as they are learning in school about physics and it's not  
5 really their role to step into that.

6           They see driver's education as being an area  
7 that their youth are learning outside of the home. And we  
8 know that that's not the case.

9           We also know that we don't have enough time to  
10 be able to review and renew along our driving path  
11 throughout our life span. And, I know I've been driving for  
12 more years than I want to admit, but it's at least 40 years.  
13 And, I have taken two driver's tests, I believe, in that  
14 40 year time.

15           And, I really can't recall within those driver  
16 life span the time that I've had to review information and  
17 renew and connect with what's going on.

18           And, I'll tell you that when I got my driver's  
19 license, there was no such thing as a cell phone or GPS or  
20 any of the distractions that going on now on the road.

21           So, I do think that we have a system out there  
22 that is not consistent, it is not good. It is not  
23 jumpstarting our novice drivers. It's different from state  
24 to state and community and community and we really aren't  
25 effective in this country in the way that we're training,

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1 teaching and keeping that ongoing education going in our  
2 life span.

3 BOARD MEMBER SUMWALT: Thank you. And that's  
4 going to segue to what Jennifer wants to talk about. It's  
5 worrying me, though; she wants to talk about older drivers,  
6 though. That's kind of starting to worry me a little bit.  
7 You've seen me drive before?

8 MS. SMITH: No, not so much.

9 Well, one thing I haven't heard many people  
10 bring up today but was talked about was the little kid in  
11 the backseat when you didn't have your seat belt on, was  
12 the biggest police officer that changed our behavior with  
13 seatbelts.

14 We need to educate our kindergarten through  
15 second graders, kindergarten through fifth grade, of what  
16 they should know when they're driving so then they can  
17 educate their parents. So, we've got to get to them  
18 younger because my little girl in the backseat will yell  
19 at anyone for being on the phone and her friends do it, too.  
20 They're seeing the commercials, they're seeing it in TV and  
21 they get it. So, we could, hopefully, not have to change  
22 their behavior in the future if we stopped modeling the  
23 wrong behavior.

24 And then, the older drivers, which I myself am  
25 one of them, we do have to set the better example, but we

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1 do also have to work on educating them a lot more. AT&T did  
2 a survey that adults are texting and emailing behind the  
3 wheel more than teens. And, I think that is true. Every  
4 campaign is focused on teens.

5 We go talk to schools; the kids say their  
6 parents do it. How many of you are scared? They keep their  
7 hands up. It's the younger kids and the parents and the  
8 older generations that need targeting.

9 BOARD MEMBER SUMWALT: Go ahead, please, Ed.

10 MR. HUTCHISON: I was just going to say that  
11 especially with law enforcement, clear laws, laws that are  
12 enforceable, easily enforceable as Sergeant Mendez  
13 demonstrates in Delaware, and those states that have those  
14 kinds of clear laws, this makes -- it's a deterrent. It is  
15 an effective deterrent.

16 Without them, it's very difficult for law  
17 enforcement officers to make it a priority and it's also  
18 difficult for law enforcement officers to enforce the laws  
19 without a great number of resources. So, that would be the  
20 first thing.

21 The second thing I was going to point out, and  
22 Jennifer stole this right out of my mouth, was that social  
23 norming has to begin much earlier in my estimation. These  
24 tools of technology are really our new babysitters and  
25 they're happening in the car, so they're learning that

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1 behavior at a very, very early age with those tools and that  
2 continues, I think, into teens and then and moving forward.

3 BOARD MEMBER SUMWALT: And, we're, you know,  
4 about a minute past the ten minute mark on this one. But,  
5 so, I'm glad to hear you say that because the question I  
6 had was, are laws effective?

7 And, I remember a few years ago, the Governors  
8 Highway Safety Administration or Association, whatever  
9 they are, GHSA, said that they were not going to recommend  
10 that states pass laws to outlaw -- to ban I believe it was  
11 cell phone use while driving, it could have been texting,  
12 I can't remember which.

13 But because they didn't feel that the accident  
14 rate had actually gone down as a result of those laws in  
15 the states that had them. So, I'm glad to hear you say that  
16 you do feel that laws are effective.

17 And, as I said earlier, I think it draws the line  
18 for what society views as acceptable and unacceptable.

19 Adrian, did you want to weigh in on any of that?

20 MR. LUND: Well, I think just generally, I'd  
21 like to weigh in on the education side of this.

22 We've talked a lot about important it is to  
23 change the driver. You know, this is the hardest task you  
24 can take on is that you're change somebody.

25 We have 30 or 40 years of driver education and

1 study after study that's well controlled that shows we  
2 haven't improved safety with driver education.

3 So, this is a very hard task. I've heard a  
4 reference made to our success with alcohol impaired  
5 driving. And, yes, we have had success. We'd like to think  
6 at the Institute, we've been part of that.

7 But, the fact is, we still have almost 9,000  
8 people dying in motor vehicle crashes each year because  
9 they are over .08. So, this is passing the laws, we get  
10 better laws, we get some benefit but it's not a panacea.

11 I'd like us to think about education as  
12 something which sort of sets the table, if you will. We had  
13 the three-legged stool that sets the table analogy.

14 It sets the table by giving people information  
15 about what is important and trying to get them to understand  
16 and to accept the things you have to do to make things  
17 better.

18 But, ultimately, if we're going to change  
19 behavior, not the person remember, but change behavior, and  
20 we're going to make them safer, we're going to have to  
21 figure out how to change the environment, the car and the  
22 road, so that it will get people to drive differently.

23 And, when we're unsuccessful with that, when  
24 they are leaning over in the back seat with their child,  
25 we need, as Bill was saying, the crash avoidance technology

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1 that will get their attention in the back to the road or  
2 maybe in the future, will automatically save them from the  
3 crash.

4 But, this is what we need, education sets the  
5 table, but you're not going to get the kinds of changes  
6 you're talking about just by educating.

7 And, one other thing I want to remind people is,  
8 we started this discussion today by talking about how big  
9 the distracted driving problem is. It's gotten small as the  
10 day went on. Now, we are talking about cell phones and  
11 texting. This is a big part of the distracted driving  
12 problem.

13 But, we need to think about our education. How  
14 do we get people not to think that they're safe just because  
15 they put down their cell phone? They are not. You can still  
16 be distracted. People were distracted before there were  
17 cell phones. They were distracted before GPS. They were  
18 distracted before cd players. We do these things.

19 Bill said it may be inherent, but these are the  
20 thoughts I have.

21 BOARD MEMBER SUMWALT: And, thank you very  
22 much.

23 We're five minutes over on this panel. But, I've  
24 got a cushion built in that I didn't tell you about.

25 But, so, you know, we're talking about our

1 younger generation can influence us and you are right. Kids  
2 in the back can -- they can remind us.

3 I told a story last week about my daughter, as  
4 I was coming back from Baskin-Robbins with her, she was four  
5 and I was drinking a milkshake and she said, daddy, we're  
6 not supposed to drink and drive and she is right.

7 But, the fact is, we can influence behavior,  
8 too. And, so I'm going to make a challenge to everybody  
9 including myself, the next time somebody calls you and  
10 they're on a cell phone, say, I'll tell you what, I want  
11 to talk to you, but call me when you get to where you're  
12 going. See if that sends a message. We can influence  
13 behavior. Think about that.

14 Okay. So, multimodal, and this will lead into  
15 the next panel. And, I'm sort of blending this panel and  
16 the next one. Of course, this one, we're talking about the  
17 corporate -- the education, legislation and enforcement.  
18 The next track was corporate policy and regulation.

19 So, what I'd like to hear, I'd like to start out  
20 and see if any of our -- we've really focused on the highway,  
21 but this is a multimodal roundtable. So, I'd like to  
22 hear -- I won't call on you cold, but Jeff, think about that.  
23 If you've got anything to say about the aviation mode.

24 And, then, I'd like to hear from Caitlyn on the  
25 maritime mode and Willie and Chip from the rail mode.

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1           And, of course, Robert, you've been over there  
2 with your head down all day long. You're cruise lines, but  
3 so you can speak about the maritime industry as well.

4           But, so who wants to start? Rail? Aviation?  
5 Or marine?

6           Willie Bates?

7           MR. BATES: This has really been a very  
8 enlightening day and I thank you, first of all.

9           It gives the railroad a challenge. We have a  
10 lot of rules and regulations already in place, but still,  
11 we can have more.

12           What I would like to see is, to get back to  
13 Amtrak and take it back to my Union colleagues, and we have  
14 always demonstrated, we have a program in place we call  
15 safety safe on Amtrak which is peer-to-peer pressure on  
16 doing things safe.

17           And, what I would like to see coming -- there's  
18 much room from this effort, is that not only will you change  
19 your behavior at work, but also at home, that the message  
20 gets across that no matter -- nothing is that important for  
21 you to talk about while you're operating a motor vehicle.  
22 And, wait until you pull over or wait until you put a  
23 simple -- put it in park then I'll talk to you.

24           And, that has to start from somewhere. And it  
25 should start, first of all, from me. And I have really had

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1 changed my behavior just by the conversation we have had  
2 today. There's been a lot of times I, all depending on how  
3 called, I pick up the phone. And I have to change that.  
4 And, I'm committed to myself to that.

5 Now, I have to find the way to get the message  
6 across to my coworkers, to my professional colleagues, and  
7 also my employer. And, hopefully, that a few times they will  
8 understand how important this is that it will -- they will  
9 definitely keep your fellow coworkers safe and also, the  
10 most important person, my family and also myself.

11 And, I really thank you for this opportunity,  
12 and I will do whatever is in my power to make sure the  
13 message gets out.

14 BOARD MEMBER SUMWALT: I know you will and it's  
15 always a pleasure to see you and thanks for your -- all the  
16 work you do on behalf of your coworkers. Thank you.

17 Chip, I know you're trying to leave. You've  
18 got about four minutes before you've got to head for the  
19 airport. But, your thoughts before you leave?

20 MR. FEININGER: Well, first of all, I'd like to  
21 also say thank you. It's been very enlightening. And, I'm  
22 going to be really short. Willie kind of hit the nail on  
23 the head.

24 Where I am struggling is I look at our policies  
25 and I say, hey, we are not doing the right thing. We are

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1 federally regulated, so it's really easy to say what we're  
2 going to do on the train. It's really easy to say what I'm  
3 going to have my supervisors do on the train. It's easy  
4 say what I'm going to have my crews do. It is easy for me  
5 to say what I'm going to have my guys that driving the big  
6 trucks that fix our rail.

7 But, we've got supervisors out there and we've  
8 got craft employees out there that are driving pickup  
9 trucks going from place to place and talking on their cell  
10 phones as they're driving through a rail yard full of moving  
11 equipment.

12 We need to rethink the way we do things. And,  
13 this conference has given me a great opportunity to look  
14 at it and say, you know what, we need to do something to  
15 change the business case that says that you're so important  
16 that I have to talk to right this very moment. And that your  
17 decision is going to impact and shut down the whole  
18 railroad.

19 We need to get away from that mind set. And so,  
20 this was a great day for me to learn something and I want  
21 to tell everybody thank you.

22 BOARD MEMBER SUMWALT: Well, thanks. And I  
23 know that NS is a company that is very safety oriented. Back  
24 when the Haram award was given, Norfolk Southern received  
25 it many consecutive years.

1           But, I think you hit on something there that  
2 it's not just the people driving the trains, it's everybody  
3 that counts. So thank you very much. I wish you safe travels  
4 on the way home. Thank you and God speed.

5           So, Robert, you thought you were going to get  
6 out of here and not say anything, but I want to know what  
7 the cruise line industry has got to say about distractions.

8           MR. GRIFFITHS: Thank you Member Sumwalt.

9           I think I'd like to characterize the last few  
10 hours as I've been actively listening, which is a good part.  
11 So, in many respects, the cruise industry has currently a  
12 sterile bridge, so we start from that point. I believe  
13 that's similar to the cockpits of the aviation industry.

14           And, as far as takeaways, I think the biggest  
15 thing is, you know, whether you're in a culture of  
16 compliance or a culture of safety, there's always room for  
17 improvement. So, you should definitely have that  
18 continuous improvement cycle.

19           If you have policies or procedures in place,  
20 they could always be better, they need to be checked, they  
21 need to be verified, audited, if you will and there could  
22 be informal lessons learned among, in our case, seafarers.  
23 It doesn't have to be a formal process, but, going forward,  
24 you could have less formal gatherings to see where matters  
25 can be improved.

1 BOARD MEMBER SUMWALT: Thanks so much.

2 While we're on a maritime theme, we'll go to  
3 Caitlyn.

4 MS. STEWART: I would agree with Rob. I think  
5 that these dialogues are happening within our mode and it's  
6 important that they continue. There are a lot of resources  
7 that are available to companies; they are seeking to be  
8 responsible and proactive in this area, including those  
9 developed by the NSC.

10 And, I think that more dialogue and more sharing  
11 of best practices can really -- one of the things that Dave  
12 said after our panel had concluded was that, companies,  
13 corporations, can move much faster than can the federal  
14 government when it comes to establishing policies in this  
15 area.

16 And, I know that from personal experience, as  
17 we talked about, the rulemaking process can be long. Of  
18 course, there is always a place for the promulgation of and  
19 effective implementation enforcement of regulations. But,  
20 I think that there's sort of a need also for companies to  
21 take responsibility and to have dialogues in this area.

22 BOARD MEMBER SUMWALT: Thank you, Caitlyn.

23 Jeff?

24 CAPT. PERIN: I would like to thank everybody  
25 for having the Airline Pilots Association here.

1           From the aviation side of it, we are much  
2 regulated environment, much regulated industry. We do  
3 recognize that there are multiple distractions involved  
4 with flying an airplane.

5           Dr. Casner's done a lot of studies to show that  
6 and we do a lot of training in our industry to make sure  
7 that we educate our pilots on how to minimize those  
8 distractions as best they can and focus on the task at hand,  
9 which is the flight path management of the airplane be it  
10 on the ground or in the air.

11           One of the things that I take away from here,  
12 at least on the driving side, and I think Anita hit it on  
13 the head with, once you come out of driver training at age  
14 16, you don't get any extra training.

15           A prime example, I'll give this, I live in  
16 Michigan. We just implemented roundabouts. There have not  
17 been roundabouts in Michigan in decades, if ever. And, the  
18 confusion those things cause to drivers is a safety hazard.  
19 So training, ongoing training, especially when new  
20 technology is implemented into equipment they're going to  
21 use, is a vital necessity for people to be safe and operate  
22 equipment safely when you're moving at 60 miles and hour  
23 or 450 knots.

24           Through the corporate policy side of it, the FAA  
25 has mandated safety management systems, SMS, into our

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1 structure and frameworks. And, I think that has helped to  
2 show the employees in the -- not only just pilot groups,  
3 but all over the industry that it's a top-down safety  
4 environment now.

5 We are now having our top upper management show  
6 us they are buying into the safety culture and implementing  
7 safety aspects and safety rules and protocols to make the  
8 industry an even safer environment.

9 BOARD MEMBER SUMWALT: Thank you very much.

10 And, I'd like to close out the session on  
11 hearing from Tom Littleton with -- to talk about  
12 distractions in the transit industry.

13 MR. LITTLETON: Thank you very much.

14 You know, I wanted to piggyback on what Caitlyn  
15 was talking about. We were talking offline between two of  
16 the panels and, you know, I think that one of the important  
17 things to not overlook when you talk about the differences  
18 and the ability of the corporate world to respond versus  
19 the federal government is that we can't have those  
20 partnerships -- we need to maintain that partnership.  
21 They can't work in opposite directions and they don't need  
22 to.

23 Yes, the regulatory process is slow, but I would  
24 tell you that I can say this from the point of view of all  
25 of the associate administrators in the Department of

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1 Transportation is that we want that dialogue with industry.  
2 We want that partnership.

3 Because, as we've seen, and, you know, I think  
4 that the FAA was a great example with safety management  
5 systems. They've worked well in advance of getting their  
6 rulemaking done with the industry to tremendous results.

7 And, I think, if I remember the statistics  
8 correct, in the first ten years after the SMS discussion  
9 began well in advance of actually the rulemaking taking  
10 place, there was an 87 percent decrease in commercial  
11 aviation accidents. And, that was due to the fact that  
12 industry and the government partnered together to look  
13 toward the future and they had great success.

14 So, I would encourage everybody, whether you  
15 work for a private company, a Union or other parts of the  
16 government to come and talk to the folks who have a piece  
17 of the regulatory high for the government. Because we do  
18 want to make things better.

19 We're impassioned about what we do. And, yes,  
20 we don't move, you know, the speed of bureaucracy is  
21 something that's slower than the speed of light, but it  
22 doesn't mean that we won't -- don't want to move in that  
23 same direction with you.

24 So, Member, Sumwalt, I would just like to say  
25 that it was a great forum for this. It's a chance for us

1 to exchange ideas and business cards, to make connections  
2 and realize that no matter where we may differ on the  
3 things, we all are committed to the safety pieces on this.  
4 And, if we work together, we will make a difference.

5 BOARD MEMBER SUMWALT: Thank you very much.

6 Does anybody have anything you'd like to close  
7 on, anything that's really on your mind? I think what  
8 everybody has on their mind now is going to get some  
9 dopamine. Where can we get some of that?

10 MS. SMITH: Do need me to text you?

11 BOARD MEMBER SUMWALT: Well, I'll do you the  
12 favor of not reading a closing statement.

13 And, I do want to say sincerely that this has  
14 been fabulous. And, it's been fabulous because of you,  
15 quite honestly. I mean your participation, your  
16 involvement, your passion, it's made it.

17 So, thank you for the success of this forum. As  
18 I said, I don't want people to walk out of here and think  
19 one way or the other it was good or it was bad. I don't  
20 want you to walk out of here and not have something -- result  
21 from this. And so, what staff will be doing is pouring over  
22 the video and all the notes Amy has taken to see what we  
23 can squeeze out of this, what we can distill from this.

24 And, we are very interested, as you are, we at  
25 the NTSB want to disconnect from deadly distractions. We're

1 trying to lead by example with the policy that Debbie  
2 Hersman started years ago when she became Chairman. But,  
3 it's got to filter out to everyone else and I think we're  
4 all disciples of that message.

5 People will look to us to see what we do. Our  
6 children, our peers. And so, thank you for coming and being  
7 a part of it.

8 I want to thank several people. But, Jennifer,  
9 I want to thank you, Jennifer Smith. And where did she go?  
10 Where is Janet? There you are. You were over there, Janet  
11 Brooking. You all have helped Nicholas put this together.

12 Nicholas, you didn't pay attention, I sent Sean  
13 up there to get you and you're in the back row. So come on  
14 down here, you know, it's not going to kill you.

15 I've always been impressed with this young man  
16 and his commitment. When I go out with him to distracted  
17 driving events and all, I think he has a great rapport with  
18 you all. And, thank you all for working with him to make  
19 it happen.

20 But, Nicholas, thank you for being the -- I  
21 think this was your brain child and I believe it was. But,  
22 as I mentioned earlier, you had great support from your  
23 colleagues on staff. And, I've already mentioned them but  
24 I'm going to go through it again.

25 Bob Beaton, Carrie Bell, Larry Boling, Evan

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1 Burn. Evan's back there in the back. Dennis Collins, Dan  
2 Helmerstein, Keith Holloway and Stephanie Shaw. Some of  
3 which are over here, we've Beverly involved, Beverly Drake.  
4 We've got, yes, Amy. Amy, thank you.

5 There's people that never get any recognition  
6 and they're up there in the audio booth and I think  
7 audio/visual booth, and trying to capture the moving target  
8 that I was and figure out where the camera needs to be next.  
9 Deidra, thank you. And who else is out there? Thank you  
10 all very much.

11 My email address is not on this car here. But,  
12 it is simply robert.sumwalt@ntsb.gov. I'd love to hear  
13 from you if you'd like to -- if you're so inclined.

14 And, again, we want something to come out of  
15 this and we are going to distill this and make something  
16 come out of it. But this video, it's been webcast today.  
17 It will remain archived on the NTSB's website for 90 days  
18 so you can go and watch it, you can download it.

19 And, anyway, again, I'm not going to go and read  
20 a long closing statement. I'll do you that favor. But, I  
21 just want to thank you. It's been a pleasure being with you.  
22 Be safe and God speed.

23 Thank you very much.

24 (Whereupon, the above-entitled matter went off  
25 the record.)

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