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Sent: Wednesday, January 02, 2019 10:25 AM
To: LeBoutillier, Paige Anne; Fitzenhagen, Heather; Rep. Kathleen Passidomo; Rep. Kathleen Passidomo/Kristin Bradstreet; Rodrigues, Ray; Rep. Rodrigues/Jasmine Villanueva; Senator Garrett Richter; Senator Lizbeth Benacquisto; Hunter, Matthew; Roach, Spencer
Cc: Commissioner Brian Hamman; Commissioner Cecil Pendergrass; Commissioner Frank Mann; Commissioner John Manning; Commissioner Larry Kiker; Councilman Bill Ribble; Councilman David Stokes; Councilman Fred Forbes; Councilman John Carioscia; Councilman John Gunter; Councilman Mick Denham; Councilman Rick Williams; Councilmember Anita Cereceda; Councilwoman Gaile Anthony; Councilwoman Jessica Cosden; Councilwoman Teresa Watkins Brown; Deputy Mayor Peter O'Flinn; Don Scott; FDOT/Lawrence Massey; FM/Councilman Flanders; FM/Councilman Johnny Streets; Mayor Jim Boesch; Mayor Joe Coviello; Mayor Kevin Ruane; Mayor Peter Simmons; MPO attorney/Gary Robinson; MPO Chair Tracey Gore
Subject: BikeWalkLee urges Lee Legislative Delegation to strengthen distracted driving laws-- support HB 45/SB 76

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January 2, 2019

Members of Lee County Legislative Delegation:

BikeWalkLee, a coalition raising public awareness and advocating for complete streets in Lee County, has long urged the Legislature to improve the safety of all road users in Florida. In particular, our top legislative priority for the past six years has been passing a bill to strengthen Florida's laws dealing with distracted driving, in particular the weak "texting while driving" law. As the 2019 legislative session begins, we urge you to strengthen roadway safety laws to address the growing dangers of distracted driving. Specifically, we request that you co-sponsor the pending bill (HB 45/SB 76) that would make texting or talking on a hand-held cell phone a "primary" offense, dubbed the "Hands-Free Florida Law." Across the nation, overall traffic fatalities have surged in the past four years. In Florida, traffic fatalities climbed by 25% between 2014 and 2017. In Lee County, fatal traffic crashes increased much faster --40% between 2014 to 2017. According to the Florida Dept. of Highway Safety and Motor Vehicles, there were almost 50,000 crashes involving distracted driving in Florida in 2016, and these crashes accounted for more than 3,500 serious injuries and 233 deaths. Most experts agree that the primary cause of the surge in traffic fatalities is distracted driving, increasingly caused by the use of smart phones and internet apps. The National Safety Council reports that the **risk of a crash is four times greater when a cell phone is in use**. According to the national "Safe Driving Report: 2016-2017" (issued by the insurance firm EverQuote Inc.), Florida ranked **the second-worst state** for distracted driving.

Recent studies show there is a relationship between individual state roadway safety rankings and that state's driver safety laws and enforcement of those laws. While Florida is **one of the most dangerous states** in the country for road users, it ranks as **the seventh worst state** for driver safety laws (2016 study by the Advocates for Highway and Auto Safety). **Florida is one of only four states** that doesn't make texting while driving a primary offense—which allows police to pull over motorists for offenses. Clearly, one of the reasons Florida's traffic fatalities are among the highest in the nation is that it has very weak driver safety laws in place.

Florida's alarming increase in traffic fatalities is not only a concern for driver safety, it is of particular concern for vulnerable road users -- pedestrians, bicyclists, and motorcyclists -- who are at the greatest risk when drivers take their eyes off the road. The national 2016 "Dangerous by Design" report ranked Florida as **the most dangerous state in the country for pedestrians**, and **eight of the most dangerous metro areas** in the U.S. are in Florida, with **Lee County being**

ranked the most dangerous in the country!The 2018 “Dangerous by Design” report is due out this month and we anticipate that Florida will continue its dubious distinction as worst in the country.

This is a crisis that can no longer be ignored by the Florida Legislature.

It is time to address the larger problem of use of cell phones while driving, not just texting. Not only is the current Florida texting law weak, it is difficult to enforce. Laws prohibiting all motor vehicle drivers from using hand-held electronic communication devices while driving can be more effectively enforced.

We know that stronger laws will reduce Florida’s roadway fatalities. Of the 15 states and the District of Columbia that have enacted “hands-free” laws, 13 saw an average 17.5% decrease in traffic fatalities within two years after passing and enforcing their new laws. Applying these findings to Florida, if HR 45/SB 76 were enacted an estimated 545 lives could be saved each year.

In each of the past six years, the Florida Legislature failed to take any action to strengthen its weak anti-texting law, and took no action to address the broader causes of distracted driving. It is critically important that the Legislature take action **this year** to address the growing dangers presented by the use of electronic devices while driving.

We urge the Lee delegation to support HB 45/SB 76. Further, given that Lee County citizens are disproportionately at risk, we encourage you to take a leadership role in championing this legislation and work with your leadership to ensure that the bill is enacted this year.

Thank you for your support.

Darla Letourneau
on behalf of BikeWalkLee
cc: Lee MPO Members

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A coalition working to complete Lee County's streets

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