

INSURANCE BROKERS

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Challenging Convention

INTRODUCTION

For many commercial fleets, driver and public safety is a top priority, and organisations take great care to prevent costly and potentially deadly accidents. While a number of factors can lead to a crash (e.g. impaired driving, poor road conditions and adverse weather), distracted driving is a common, preventable cause of accidents. In fact, distracted or impaired driving contributed to 17% of all car accidents in Great Britain in 2020, according to Department for Transport (DFT) data.

Distracted driving can be defined as inattentiveness on the road caused by an object, activity, event or person. This inattentiveness reduces awareness, decision-making and performance, increasing the likelihood of driver error, near-crashes or crashes. What's more, distracted driving is not always attributable to a medical condition, alcohol and drug use, or fatigue.

Distracted driving is an ongoing safety concern for commercial fleets. And, the widespread increase in mobile phone use over the past decade has brought the issue to the forefront. In March 2022, the government even strengthened the law forbidding mobile device usage while driving to combat the growing issue. That's because individuals using a mobile phone while driving are four times as likely to be involved in a crash, according to the government. For instance, in 2020 alone, Great Britain drivers distracted by mobile phones contributed to 17 fatal incidents, 97 serious incidents and 254 "slight" incidents, according to DFT data. Between 2015-2020, mobile phone distraction contributed to 24 deaths and 426 total car accidents on average each year.

Studies have shown that many collisions and near-collisions involve some form of driver inattention, often just three seconds prior to the event. These statistics are particularly noteworthy for fleets, as many commercial vehicles have poorer driver visibility than personal cars and are much more difficult to control or stop in the event of an emergency. For commercial fleets, distracted driving can lead to increased insurance premiums, costly repairs, decreased productivity, reputational damage, and driver injury or death.

To protect themselves and public safety, it's important for organisations and fleet managers to have an understanding of distracted driving, including common causes and prevention strategies. This guide provides background information commercial fleets can use to supplement a risk management programme and establish a safe workplace.

TYPES OF DISTRACTED DRIVING

Often, when thinking about distracted driving, it's easy to focus on inattentiveness caused by mobile phones and other electronic devices. However, although texting and taking phone calls while driving are major causes of accidents, they aren't the only distractions.



Effectively, distracted driving can be broken into one of four categories:

- 1. Visual distractions**—Any distraction that diverts a driver's eyes from the road (eg pedestrians, collisions or road signs).
- 2. Physical distractions**—Any distraction that causes a driver to take their hands off the wheel (eg eating, drinking or tuning the radio).
- 3. Cognitive distractions**—Any distraction that causes a driver to think about something other than the duty of driving carefully (eg daydreaming or multitasking).
- 4. Auditory distractions**—Any audible distraction that diverts a driver's attention away from the road (eg listening to music or talking to passengers).

Any time a driver reaches for an object or gets distracted by outside stimuli, the chances of an accident drastically increase. In fact, studies show that simply by dialling a mobile phone, the likelihood of a crash is four times greater. To remain safe on the roads, drivers need to be aware of common distractions that can put them and the public in danger:

- Using electronic devices such as a satnav, MP3 player, radio, mobile phone or laptop
- Reading maps, books, texts or printed directions
- Combing hair, putting on makeup, shaving, brushing teeth or doing similar grooming activities
- Eating, drinking or smoking
- Talking with passengers or tending to children or pets
- Focusing attention on visual distractions outside the vehicle, such as collisions, police activity, street signs, pedestrians, construction or billboards
- Multitasking
- Daydreaming

Distracted Driving Laws in the UK

Not only can distracted driving lead to more exposures and increased expenses for organisations, but it can also result in major fines and penalties. Distracted driving is not just a concern for commercial fleets, and the UK recognises it as a national issue. Organisations should keep the following UK distracted driving laws in mind:

Using an Electronic Device While Driving

UK driving law states that it is illegal to hold a mobile device or use a satnav while driving, even momentarily. If drivers wish to use an electronic device while driving, they must have hands-free access to it. Some examples include:

- A Bluetooth headset

- Voice command devices
- A dashboard device holder
- A windscreen mount
- A built-in satnav

All of these options are permitted so long as they don't block a driver's view of the road or traffic ahead. In addition, drivers must stay in control of their vehicles at all times. Drivers are permitted to use a handheld phone only if they are safely stopped with the engine off or they need to contact emergency services and it is either unsafe or impractical to stop.

If they feel drivers are not in control or are distracted, police are permitted to stop drivers. Drivers will face the following penalties if found guilty of distracted driving due to electronic device use:

- A £200 fine and six penalty points for using a handheld device while driving
- A loss of licence if their driving test was passed in the past two years
- Three penalty points if they didn't have a full view of the road or proper control of the vehicle

Drivers can also be taken to court and suffer the following consequences:

- Being banned from riding or driving
- Receiving a fine of £1,000 (£2,500 if driving a lorry or bus)

Drink-driving and Drug Use While Driving

If drivers are found guilty of drink-driving or using drugs while driving, there are serious penalties. The specifics of the penalty are determined by the seriousness of the offence and the magistrates who hear the case. The following penalties are possible:

- Drivers in charge of a vehicle while above the legal limit or unfit through drink could:
 - Receive up to three months of imprisonment
 - Get up to a £2,500 fine
 - Suffer a possible driving ban
- Drivers driving or attempting to drive while above the legal limit could:
 - Receive up to six months of imprisonment
 - Get an unlimited fine
 - Suffer a driving ban for at least one year (three years if convicted twice within 10 years)
- If drivers cause death by careless driving when under the influence of drink, they could:
 - Receive up to 14 years of imprisonment
 - Get an unlimited fine
 - Suffer a driving ban for at least two years
 - Require an extended driving test before getting their licence returned (if they are a high-risk offender, they will not automatically get their licence back)

Drivers are required to tell the Driver and Vehicle Licensing Agency (DVLA) if they have used illegal drugs or misused prescription drugs. In addition, they must tell the DVLA about a medical condition that may impact their driving. Failure to do so could result in fines up to £1,000 and prosecution if they are involved in an accident.

Distractions can come from a variety of sources and affect drivers at any time. While accidents aren't always preventable, fleet managers can reduce the risk by creating and implementing procedures that limit distracted driving.

RESPONDING TO DISTRACTED DRIVING

Even the most experienced drivers can become distracted from time to time. In order to maintain safe driving practices, organisations must take a top-down approach to combat distracted driving. Only through effective policies and training can commercial fleets identify and respond to potentially harmful driving behaviours.

Tips for Employers

The following are some ways organisations and their fleet managers can help reduce the risk of distracted driving:

- Develop, communicate and enforce workplace policies to establish distracted driving guidance and minimise its impact.
- Use applications to detect when your drivers are on the road. Many of these applications prevent individuals from contacting a driver while their vehicle is in motion.
- Instruct drivers to pull off the road and park if they need to use their phone or an electronic device.
- Equip vehicles with lockboxes that drivers can use to store potential distractions, like smartphones and tablets.
- Educate your drivers on the risks of driving while distracted. Use real-life examples and stories to explain how dangerous distracted driving can be.
- Update your organisation's handbook, noting any disciplinary actions you will take if you identify unsafe driving behaviour.
- Ask your employees to sign a pledge form indicating their willingness to drive in a safe and courteous manner.
- Work with drivers to plan trips. This ensures that drivers have a clear understanding of their routes, which can reduce the need for satnav and other potentially distracting navigation devices.
- Manage driver schedules to ensure employees are well-rested between trips.
- Use telematics, driver monitoring programs and in-cabin camera systems to evaluate individual drivers. Whenever possible, reward positive driver behaviour to encourage a culture of safety.
- Perform a safety audit, which will give you a high-level overview of distracted driving risks and other concerns.
- Create a driver safety programme and a distracted driving policy. Regularly communicate your policies using things like emails, blogs and posters.

Tips for Drivers

While employers must provide training and guidance to prevent distracted driving, road safety is ultimately up to individual drivers. The following are tips drivers should keep in mind whenever they're out in the field:

- Remain educated on the risks and consequences of distracted driving. Attend any refresher courses your employer provides.
- Do not text, dial a mobile phone or use dispatching devices while you drive.
- Avoid distracting activities such as eating, personal grooming and reaching for items.
- Install an application on your mobile phone that recognises when your vehicle is in motion and responds to texts and calls with a pre-set, safety message.
- Minimise the potential for distractions by planning your route, programming your satnav, adjusting your mirrors and tuning your radio before you hit the road.
- Organise your vehicle's cabin to ensure personal items you may need during a long trip are well within reach. To eliminate the need to reach for items while you drive, program your satnav, adjust your mirrors and tune your radio before you hit the road.
- Avoid multitasking when driving. If you need to make a phone call or respond to a text message, pull over beforehand. Even the use of a hands-free device is dangerous and can create a cognitive distraction. To help eliminate the urge to use mobile phones and other devices, turn them off and stow them out of sight in a safe compartment.
- Ensure you are well-rested prior to getting behind the wheel. When you drive fatigued, the chances of becoming distracted and getting into an accident increase.
- Focus on driving and do not let anything divert your attention. While you drive, actively scan the road, using your mirrors to watch out for other vehicles, pedestrians and cyclists.
- Plan your meals in advance and avoid eating while you drive.
- Understand and adhere to distracted driving laws.
- Follow employer-mandated guidelines outlined in distracted driving programmes and similar policies.

Drivers who glance away from the road for any reason, even for just a second, risk the safety of themselves and others. In order to remain safe on the road, employers and drivers must work together to understand and reduce the risks of distracted driving.

CREATING A DISTRACTED DRIVING POLICY

Even if employers provide adequate training, drivers are effectively on their own when they're out in the field. To help prevent distracted driving long after training is complete, fleets need to develop and implement a distracted driving policy. These policies are typically part of larger driver safety programmes and promote safe driving practices through well-communicated initiatives.

While the specifics of policies may differ from fleet to fleet, they should include the following:

- A policy statement that clarifies the organisation's stance on distracted driving. This statement should specify the purpose and goals of the policy.
- A definition of distracted driving. This definition should highlight the dangers of distracted driving and the ways it affects the organisation.
- A summary of whom the policy applies to. In general, the policy should account for all company employees, even if driving a vehicle isn't a regular part of their daily duties.
- A list of what constitutes as distracted driving and actions that are strictly prohibited to ensure driver safety.

- A list of suggested practices to reduce the risk of distracted driving.
- A list of potential consequences if the terms of the policy are breached.
- A space for the employee's and fleet manager's signatures.

Ensuring Effective Policies

A formal policy is one of the best ways to defend against distracted driving. These policies should apply to everyone in the organisation who drives a vehicle for company business. To make the policy even more effective, organisations should consider the following:

1. **Testing**—Distracted driving policies should be tested often to ensure they are accomplishing the fleet's goals. When testing a policy, organisations should look for any gaps or exceptions they may need to account for. Organisations should be open to driver feedback and implement changes accordingly. Testing procedures should involve any and all departments that interact with drivers.
2. **Communication**—Distracted driving policies—and other safety initiatives for that matter—should be communicated on a regular basis. Fleets can accomplish this in a number of ways, but many educate their drivers through emails, newsletters, noticeboards, driver training initiatives and signage. At a minimum, organisations should consider creating a form that drivers can sign to confirm that they understand distracted driving protocols and are committed to staying safe on the road. To ensure effective communication, organisations should ask themselves the following questions:
 - a. Do employees and/or paid contractors understand the dangerous nature of distracted driving?
 - b. Are drivers aware of the seriousness and potential consequences of ignoring your policy?
 - c. Is the organisation providing distracted driving training?
3. **Top-down involvement**—When it comes to protecting commercial fleets from the risks of distracted driving, it's important for management to lead by example. Under no circumstances should managers knowingly call or text their drivers during regular driving hours. Distracted driving policies apply to all fleet employees, including leadership. As such, managers should adhere to any established procedures.
4. **Active monitoring**—In order for an organisation's distracted driving initiatives to be effective, active monitoring is crucial. If and when a driver violates the terms of the policy, fleet managers must intervene and administer corrective action. Because distracted driving policy infractions often occur off-site, it can be difficult to monitor compliance. As such, it's important for companies to reinforce positive behaviour through formalised recognition and reward programmes.
5. **Policy updates**—Distracted driving policies are living and breathing documents. Organisations need to review their policies regularly and adapt them to account for:



Supplementing Your Policy

Distracted driving policies are just one way to keep drivers safe on the road. For a sample policy and supplemental materials to help reduce distracted driving, click .

CONTINUED FLEET SAFETY THROUGH INSURANCE

Managing distracted driving will only become more difficult as technology advances and individuals become more reliant on personal devices like mobile phones and tablets. Regardless, commercial fleets have a duty to ensure a safe workplace and combat all forms of distracted driving.

To protect your drivers and your organisation, it's important for fleets to work alongside a qualified insurance broker. Not only can they provide advice on your company's risk management needs, but they can also recommend specific insurance policies to keep you protected on and off the road. To learn more, click [HERE](#) to be redirected to the motor fleet product page.

Distracted Driving Policy

Purpose, Background and Applicability

recognises that distracted driving can impair safe driving and contribute to crashes. In order to increase employee safety and eliminate unnecessary risks behind the wheel, has enacted a Distracted Driving Policy. All employees and drivers, including non-commercial drivers and independent contractors, will adhere to the following policy guidelines while working under the direction of . The goal of this policy is to increase worker safety on the road by enacting specific rules and regulations to combat distracted driving.

Policy

Under this policy, distracted driving is defined as any activity that causes the driver to take their mind off the task of driving safely. This inattentiveness reduces awareness, decision-making and performance, increasing the likelihood of driver error, near-crashes or crashes. Driving distractions include devices inside the cab, such as a mobile phone, television, laptop, navigation devices and communication devices. Distractions may also be caused by animated, argumentative or heated conversations. Objects or occurrences outside the cab, such as electronic signs, billboards and police activity, can also be a source of distractions.

Prohibited Behaviours

To minimise the possibility of driving while distracted, strictly prohibits the following activities by a driver while the vehicle is in motion:

- Reading or responding to emails or text messages on any type of communication device
- Mobile phone use, unless coupled to a hands-free device
- Using electronic devices such as a MP3 or DVD player or laptop
- Playing electronic games
- Using any device in violation of any applicable laws, regulations or ordinances
- Engaging with similar distractions that could reasonably cause an accident or unsafe driving behaviour

also prohibits driving while impaired mentally or physically, including driving while fatigued. When fatigued, your ability to operate the vehicle safely is significantly reduced. If you find yourself in any of these conditions, find the closest safe place to legally park and rest.

Suggested Practices

also encourages drivers to do the following to reduce their risk:

- Avoid distracting activities such as eating, personal grooming and reaching for items.
 - Minimise the potential for distractions by planning your routes. Research your drive ahead of time to eliminate the need for satnav, maps and other navigation tools.
 - Eat and drink when you are taking a break whenever possible.
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- Keep your eyes focused on the road ahead if conversing with a passenger or co-driver.
 - Organise your vehicle's cabin to ensure personal items you may need during a long trip are well within reach. To eliminate the need to reach for items while you drive, programme your satnav, adjust your mirrors and tune your radio before you hit the road.
 - Avoid multitasking when driving. If you need to make a phone call or respond to a text message on the road, pull over beforehand. Even the use of a hands-free device is dangerous and can create a cognitive distraction. To help eliminate the urge to use mobile phone and other devices, turn them off and stow them out of sight in a safe compartment.
 - Minimise the use of citizens-band radio to communications that enhance your ability to drive the vehicle safely and efficiently, and to gather valuable information related to road, traffic and weather conditions.
 - Never write or handle paperwork while the vehicle is in motion.

Consequences for Violating This Policy

If an employee is involved in an accident while on the job and distracted driving is determined to be a significant factor in the incident, they will be subject to retraining and/or disciplinary action, up to and including termination. An employee who is observed engaging in any specifically prohibited conduct will be subject to retraining and/or disciplinary action, up to and including termination.

Acknowledgment

I acknowledge that:

- I have received a written copy of the Distracted Driving Policy.
- I fully understand the terms of this policy and agree to abide by them.
- I am willing to accept the consequences of failing to follow the policy.

Employee Signature Date

Employee Name (printed)

Please read, sign and return the Distracted Driving Policy to your supervisor.

Provided by Robison & Co Ltd

This document is merely a guideline. It is not meant to be exhaustive nor be construed as legal advice. It does not address all potential compliance issues. Consult your licensed insurance representative or legal counsel to address possible compliance requirements.

The Dangers of Distracted Driving

Studies have shown that many collisions and near-collisions involve some form of driver inattention, often just three seconds prior to the event. These statistics are particularly noteworthy, as many commercial vehicles have poorer driver visibility than personal cars and are much more difficult to control or stop in the event of an emergency.

Types of Distracted Driving

Often, when thinking about distracted driving, it's easy to focus on inattentiveness caused by mobile phones and other electronic devices. However, while texting and taking phone calls while driving are major causes of accidents, they aren't the only distractions.

- 1. Visual distractions**—Any distraction that diverts a driver's eyes from the road (eg pedestrians, collisions or road signs).
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- 3. Cognitive distractions**—Any distraction that causes a driver to think about something other than the duty of driving carefully (eg daydreaming or multitasking).
- 4. Auditory distractions**—Any audible distraction that diverts a driver's attention away from the road (eg listening to music or talking to passengers).

Quick Tips to Stay Safe on the Road

Any time you reach for an object or your attention is diverted by outside distractions, the chances of an accident drastically increase. In fact, studies show that simply by dialling a mobile phone, the likelihood of a crash is four times greater. To remain safe on the roads, drivers need to be aware of common distractions that can put them and the public in danger:



Distracted Driving: 12 Tips Drivers Can Use to Stay Safe on the Road

Drivers who glance away from the road for any reason, even for just a second, risk the safety of themselves and others. Even the most experienced drivers can become distracted from time to time and, in order to remain safe on the road, you should keep the following tips in mind whenever you're driving:

- 01** Remain educated on the risks and consequences of distracted driving. Attend any refresher courses your employer provides.
- 02** Do not text, dial a mobile phone or use dispatching devices while you drive.
- 03** Avoid distracting activities such as eating, personal grooming and reaching for items.
- 04** Minimise the potential for distractions by planning your route, programming your satnav, adjusting your mirrors and tuning your radio before you hit the road.
- 05** Organise your vehicle's cabin to ensure personal items you may need during a long trip are well within reach.
- 06** Avoid multitasking when driving. If you need to make a phone call or respond to a text message, pull over beforehand. Even the use of a hands-free device is dangerous and can create a cognitive distraction.
- 07** Eliminate the urge to use mobile phones and other devices by turning them off and stowing them out of sight in a safe compartment.
- 08** Ensure you are well-rested prior to getting behind the wheel. When you drive fatigued, the chances of becoming distracted and getting into an accident increase.
- 09** Focus on driving and do not let anything divert your attention. While you drive, actively scan the road, using your mirrors to watch out for other vehicles, pedestrians and cyclists.
- 10** Plan your meals in advance and avoid eating while you drive.
- 11** Complete personal grooming tasks, like brushing your teeth or combing your hair, before you drive.
- 12** Follow employer-mandated guidelines outlined in distracted driving programmes and similar policies.