

**SB24-065 - Mobile Electronic Device & Motor Vehicle Driving**  
*Senators Chris Hansen & Rhonda Fields, Representatives Meg Froelich & David Ortiz*

**I. A Deadly & Costly Problem That We See Everyday**

Distracted driving, most commonly via mobile electronic devices, is a public safety hazard that every driving-age Coloradan experiences on a daily basis. In 2022, 754 people were killed in traffic accidents in Colorado – the most on record since 1981<sup>1</sup>. In 2023, more than 287 bicyclists, pedestrians, and motorcyclists died on Colorado’s roads – an all-time high<sup>2</sup>. A 2020 CDOT study revealed that 10,166 crashes in Colorado involved a distracted driver, resulting in 1,467 injuries and 68 deaths. Nationally, distracted claimed the lives of 3,522 Americans in 2021<sup>3</sup>. Further, as most distracted driving data is self-reported, it is likely under-reported. One of the largest national studies on distracted driving found that looking at a phone while driving increases the risk of crashing by a factor of 12<sup>4</sup>.

Additionally, in part due to Colorado’s dangerous roads, Coloradoans are facing among the fastest rising insurance premiums in the United States<sup>5</sup>. There is no doubt - distracted driving is a significant contributor to road fatalities and injuries in Colorado with ripples effects in higher insurance costs for households already struggling with affordability.

**II. SB24-065 Will Protect All Roads Users From Distracted Driving**

SB24-065 is intended spread awareness among Colorado drivers that it is illegal to text while you are driving, unless a driver is using a hands-free device. To this end, the bill protects all road users by making distracted driving a primary offense subject to certain penalties. A variety of cases are exempted, including when a driver is parked, when a driver is reporting an emergency, and more.

To further the educational goal of the bill, first time violations will be dismissed if the driver has not committed a violation of the statute within the previous 24 months, and produces proof of purchase of a hands-free accessory.

Current law requires law enforcement to record the demographic information of the violator, this bill clarifies that law enforcement must only record whether the bill has been violated.

Lastly, the bill requires CDOT, in consultation with Colorado State Patrol, to create a public awareness campaign about the new law’s requirements and the dangers of using mobile electronics when driving.

**III. Other States Have Seen Impressive Results**

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<sup>1</sup> [CDOT - 754 lives lost on Colorado roads in 2022, most roadway deaths since 1981](#)

<sup>2</sup> [CO Sun \(2/2/24\) - Colorado is getting deadlier for pedestrians and cyclists, despite overall drop in traffic deaths](#)

<sup>3</sup> [USDOT - NHTSA: Distracted Driving](#)

<sup>4</sup> [Dingus TA, Guo F, Lee S, Antin JF, Perez M, Buchanan-King M, Hankey J. Driver crash risk factors and prevalence evaluation using naturalistic driving data.](#)

<sup>5</sup> [Denver Post \(3/11/24\) - Colorado car insurance rates among fastest rising in country and more increases expected](#)

According to a 2023 study by the Journal of Safety Research, law changes in Oregon and Washington were associated with significant reductions in the rate of monthly rear-end crashes with injury of 8.8% and 10.9% respectively<sup>6</sup>. Tennessee enacted a hand-held ban in 2019, and 2023 data<sup>7</sup> shows a 31% decline in crashes related to distracted driving from 2018 levels.

A 2012 study conducted by the Safe Transportation Research & Education Center at UC – Berkeley analyzed crash records before and after California’s 2008 passage of a ban on hand-held electronic devices while driving. The study showed vehicle accident fatalities decreased by 22% and deaths caused by driver using hand-held cell phones fell by 47%.

Currently, 29 states (plus the District of Columbia) have prohibited the use of mobile electronic devices while driving – all but two of those states allow for primary enforcement. Independent research encompassing 48 states over 10 years indicates that primary enforcement of texting while driving reduces traffic fatalities by 3%, which would save 23 lives in Colorado a year, and is the most effective for saving young lives. The same study noted that secondary enforcement is not associated with reductions in traffic fatalities<sup>8</sup>.

A 2013 study published in the Journal of Public Health Policy showed that all-driver hand-held cell phone bans with primary enforcement was associated with a significant reduction in the total number of drivers involved in fatal crashes. The reduction is particularly acute in lower age brackets.<sup>9</sup>

Lastly, a 2020 study<sup>10</sup> published in the North American Actuarial Journal estimated that primary hand-held device bans lead to a 9.2% reduction in injury liability claims in any given year during the post-ban period. Further, this study calculated that an average 4.7% of insurance premium savings were attributable to distracted driving bans.

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<sup>6</sup> [Reagan, Jan J. / Cicchino, Jessica B. / Teoh, Eric R. / Cox, Aimee E. Journal of Safety Research, September 2023.](#)

<sup>7</sup> [Tennessee Dept. of Safety & Homeland Security](#)

<sup>8</sup> [Ferdinand AO, Menachemi N, Sen B, Blackburn JL, Morrisey M, Nelson L. Impact of texting laws on motor vehicular fatalities in the United States](#)

<sup>9</sup> [Cellphone Bans and Fatal Motor Vehicle Crash Rates in the United States Lim SH / Chi J. Journal of Public Health Policy, 2013](#)

<sup>10</sup> [J. Bradley Karl & Charles Nyce \(2020\) The Effect of Distracted Driving Laws on Automobile Liability Insurance Claims, North American Actuarial Journal](#)