

Dial. Drive. Bloody idiot.

As demands on our day increase, the hours spent behind the wheel travelling from home to the office and to clients are increasingly viewed as unproductive and therefore an excellent opportunity to return phone calls, speak with the boss and call home. Sean McGowan reports on the risks and the laws.



Let's face it – we've all used the mobile phone in the car, whether legally or illegally. We've returned that urgent call, or we've picked it up when it's rung during peak hour traffic; and we've instantly become a distracted driver.

But if you knew the impact driving while talking can have on your safety, as well as your driving record, would you continue?

Believe it or not, drivers who use a mobile phone, whether hand-held to their ear or via a hands-free system, are 4.1 times more likely to have a car accident within 10 minutes of using it, than if they'd not made a call.

The study published by the *British Medical Journal*, found the comparative risk with a hand-held phone was no less than 4.9 times, while a hands-free system was 3.8 times; proof that it is the act of a phone conversation, and not just the way the phone is handled, that is the distraction.

This research is supported by other studies conducted around the world, which have shown the distraction of behind-the-wheel phone conversations to be equal to, and if not greater, than driving while drunk. Further studies have also found that texting while driving makes a driver 23 times more likely to be involved in a safety-critical incident, such as crash, near-crash, or lane deviation.

Yet despite Australian authorities acting many years ago to ban the use of hand-held phones while driving, just 10 minutes spent in peak hour reveals

that plenty of drivers continue to flout the rules, with young drivers and males among the worst offenders.

A recent NRMA study revealed that 52 per cent of Generation X drivers admit to using a mobile phone while driving, dispelling the myth that the younger Generation Y are the biggest offenders.

For those drivers aged 40 years and over, the figure drops to one in four. Male drivers are also more likely to use the phone than female drivers.

"While we were surprised that Generation X scored so highly, the figures are a concern for all age brackets," says NRMA Insurance spokesperson, John Hallal.

"A busy lifestyle should not compromise safe driving habits. If you lose focus while behind the wheel, even if it is only for a split second, the consequences can be serious."

The NRMA also recently conducted a road test involving texting while driving, finding that drivers spent 70 per cent of their trip glancing at their phone and not watching the road ahead.

It also revealed that the drivers on average glanced at their phone 38 times for an average length of 1.4 seconds during the trip. This meant that when the driver was travelling at 60km/h, they were glancing at their phone for 22 metres at a time – or almost five car lengths.

In America, calls for an outright ban on mobile phone use while driving are becoming louder after research by the country's National Safety Council revealed that 28 per cent of all motor vehicles accidents are caused by drivers on the phone or texting.

"There is a huge misperception with the public that it's OK if they are using a hands-free phone. It's the same challenge we had with seatbelts and drunk-driving – we've got to get people thinking the same way about cell phones," the NSC's President, Janet Froetscher is reported as saying.

The NSC believes business support may be the best way of achieving widespread bans, and is urging the business community to enact policies prohibiting employees from the practice.

"Anyone with a busy job knows the temptation to multi-task and stay in touch with the office while driving," she says.

"Believe me, I've been there. I didn't realise how much risk I was taking. Most people don't. Employers understand how dangerous the behaviour is and their potential liability. We are asking all businesses to join us by adopting policies banning calling and texting while driving on the job."

On the fly(guy)

Free2Talk BC900



As far as Bluetooth devices go, the BC900 is not only small and light (just 69 grams), but it's also solar powered to help it recharge on the go. And with 10 hours talk time and 600 hours standby time, you'll never have an excuse not to be hands-free again!

Featuring built-in echo cancellation and noise suppression systems, the BC900 can also announce detailed incoming caller information from its phonebook thanks to its text-to-speech system, so your eyes never have to leave the road.

For more information visit www.free2talk.com.au

While the NSC calls on America's 50 states to adopt its recommendations, in Australia, both government and key stakeholders such as the major motoring groups have not been so forthright in their stance.

The laws of the land

In Australia, and despite having a national road rules framework which has removed many of the differences at state and territory borders since they were introduced in 1999, different states continue to apply different rules when it comes to mobile phone use while driving.

With the exception that driving while using a hand-held phone is banned in all Australian states and territories, the other differences can make it confusing for those regularly crossing state and territory borders as part of their work, and those driving when visiting other states.

This confusion has been compounded since South Australia and Victoria moved late last year to remove a loophole which allowed drivers to hold a mobile phone on their lap.

Both states have now outlawed the use of mobile phones while driving unless the phone is secured in a mounting device fixed to the vehicle, or where the phone can be remotely operated via Bluetooth.

So if you regularly travel interstate, be sure to read up on the laws concerning the use of mobile phones while driving, as you might be surprised just what is and what isn't allowed across the border.

And remember, whether the phone is being held by you, or in a holder, it's the distraction of the phone conversation that makes you four times more likely to have an accident, so if you can't avoid taking the call, pull over and be on the safe side.

South Australia

In South Australia, a mobile phone may only be used to make or receive a phone call (defined to exclude email, text or video messages) and only if the phone is either secured in a mounting affixed to the vehicle; or remotely operated.

A phone must not be held by or resting on the body and there must be no touching of the keypad.

"If a person wishes to make or receive a call, including dialling a number, and needs to touch the phone (including the keypad) in order to do so, the phone must be mounted. If the phone is to be used via Bluetooth or a headset or earphones without touching it, the phone may be located anywhere in the vehicle, including the driver's pocket or a pouch they are wearing. The driver may touch the ear piece or headset to operate the phone."

It is an offence to create, send or look at a text or video message on a mobile phone while driving in South Australia.

This rule does not apply to learner's permit and P1 licence holders, who are banned from using any mobile phone function while driving. This includes



using hands-free mode including Bluetooth; loudspeaker operation and text messaging.

www.dtei.sa.gov.au/roadsafety

Victoria

In Victoria, using a mobile phone while driving is prohibited, except to make or receive a phone call or to use its audio/music functions provided the phone is secured in a commercially designed holder fixed to the vehicle; or can be operated by the driver without touching any part of the phone, and is not resting on any part of the driver's body.

Functions including video calls, texting and emailing are prohibited.

Learner and P1 drivers are prohibited from using a mobile phone at all while driving.

www.vicroads.gov.au

New South Wales

It is illegal to drive or ride a vehicle while using a hand-held mobile phone.

"This means talking, sending or receiving text messages, playing games or taking photos are illegal when using a hand-held phone. It is also illegal to perform these activities when your vehicle is stopped but not parked, for example when you are waiting at traffic lights."

Learner and provisional drivers and riders must not use a mobile phone while driving or riding. This includes phones in the hands-free mode or with loud speaker operating, sending or receiving SMS messages, playing games or any other function on your phone.

www.rta.nsw.gov.au/roadsafety

Queensland

All drivers are banned from using hand-held mobile phones while driving.

"Learners, P1 type licence holders under 25 years of age and P1 type licence holders (who return from a disqualification to a P1 type probationary licence where at the time of the offence they were under 25 years of age) are subject to further restrictions.

These licence holders are not permitted to use hands-free kits; wireless headsets and loudspeaker functions."

Passengers and supervisors of these licence holders are also banned from using mobile phones in loudspeaker mode while the car is being driven.

www.transport.qld.gov.au

Western Australia

It is illegal to use a hand-held mobile phone in Western Australia while driving.

Options available to drivers when making/taking a phone call while driving includes the use of a hands-free kit; parking the vehicle in a designated, legal parking place, switching the phone off or diverting the phone to voicemail.

www.ors.wa.gov.au

Tasmania

Using a mobile phone while driving in Tasmania is banned except to make or receive a phone call provided the phone is secured in a commercially designed holder fixed to the vehicle, or can be operated by the driver without touching any part of the phone.

All other functions including video calls, texting and emailing are prohibited.

"Holding the phone (whether or not engaged in a phone call) is also prohibited. 'Holding' includes resting the mobile on the driver's lap, or between the chin and shoulder or passing the phone to a passenger."

www.transport.tas.gov.au

Northern Territory

It is illegal to drive while using a hand-held mobile phone in the Northern Territory. Learner and provisional drivers are banned from using any mobile phone.

www.nt.gov.au/transport

Australian Capital Territory

It is an offence to use a hand-held mobile telephone while driving a vehicle in the ACT.

"If your vehicle is not fitted with a hands free connection, you cannot legally use the telephone while driving or while waiting at an intersection. You must move your vehicle to a safe location, stop and turn off the vehicle before answering or making a call."

www.tams.act.gov.au ■

This article is intended as a guide only. Please consult your state regulations and the websites provided for more information.