

The Costs of Distracted and Reckless Driving

Nichole Huff, Family and Consumer Sciences

In a world that constantly demands our attention, it is all too easy to become distracted while driving. From smart phones and smart watches to interacting with something in our car, listening to a navigation system, or letting our minds wander behind the wheel, the temptations we often face when driving are endless. While these actions may feel harmless in the moment, they have the potential to be costly, both physically and financially.

Types of Distracted Driving

In 2019, Kentucky reported 56,257 collisions, resulting in 143 deaths, because of cell phones, driver distractions, or driver inattention. Additionally, another 1,192 collisions occurred because of unsafe speed, resulting in 79 deaths.

Distracted driving is the leading contributing factor in collisions. People of all ages engage in distracted driving. National data from a study in 2018 shows that in fatal car accidents, distracted driving was responsible for deaths in 8 percent of people ages 15 to 19, 5 percent ages 30 to 39, and 4 percent ages 50 to 59. Distracted driving rates decrease some with age but tend to spike again in late adulthood.

The National Highway Safety Administration defines three types of distracted driving. These can occur at the same time or independently.

- **Visual:** Looking away from the road.
- **Manual:** Removing your hands from the wheel.
- **Cognitive:** Losing focus on your actions.

A *visual distraction* could be looking at a notification on your phone or another device. A *manual distraction* can occur when reaching for items in your car, like a wallet or purse that fell on the passenger-side floor while driving. A *cognitive distraction* may be getting lost in your thoughts about work or other stressors, or “drowsy driving” when sleepy.



Often cellphone use involves all three types of distracted driving. For example, when you receive a message, you are *visually distracted* by looking at the screen, *manually distracted* by trying to text, and *cognitively distracted* by focusing on replying to the message instead of focusing on the road.

Table 1. What is legal while driving in Kentucky?

While driving can I...? (If over 18 years old)

| | |
|--|------|
| Text or send other text-based messages while in motion? | No |
| Text or send other text-based messages while stopped? | Yes* |
| Be on a phone call? | Yes* |
| Use a hands-free option, like a headset or car speaker? | Yes* |
| Eat while driving? | Yes* |
| Use a GPS or navigation system? | Yes |
| Use my phone to contact 911 in an emergency while driving? | Yes |

*While these actions are legal, they may lead to distracted or reckless driving and may result in legal penalties or physical harm to yourself or others. Minor drivers are prohibited by law from using a cell phone (handheld and hands-free) while driving, unless calling for help in the event of an emergency. The law allows minor drivers to use GPS, but not to enter addresses while driving.

Rules of the Road

The Kentucky Driver Point System

Kentucky uses a license point system to identify habitually negligent drivers. All drivers begin with zero points, with points accumulating after receiving a driving citation. Accumulation of points can lead to suspension of your driver's license. If younger than 18 years old, your license is at risk for suspension at 7 points; and if older than 18, you are at risk for suspension at 12 points. The points expire from your record two years after conviction, but the conviction will remain on your driver's record for five years. To learn more about points per violation, refer to <https://transportation.ky.gov/HighwaySafety/Documents/PointSystem.pdf>.

Current Kentucky Distracted Driving Laws

In 2011, Kentucky implemented new laws to help reduce the rates of distracted driving accidents. Current distracted driving laws prohibit manual use of cellphones or alternative two-way communication devices, like a tablet or two-way radio, while actively driving. This includes texting, emailing, or alternative messaging platforms (e.g., Snapchat, Facebook Messenger, WhatsApp.) Drivers are still allowed to use GPS systems, dial numbers, make phone calls, or use the phone in case of an emergency (see KRS 189.292). Drivers younger than 18 are prohibited from any type of communication device usage while actively driving (see KRS 189.294).

Outside of these limitations, there are no other set laws per say. You can still legally eat, search for something you knocked on the floor, or have a conversation with a passenger while driving. However, these actions still put you at risk for driving while distracted. For example, imagine you are eating while driving to work one morning. While this act alone is not illegal, it could cause you to become distracted and miss a speed limit change or stop sign. If that occurs, it may result in other driving violations, such as reckless driving, or even cause an accident. If possible, try to avoid any action that takes your visual, manual, or cognitive focus off the road so you can give your full attention to driving safely.

Potential Changes to Future Distracted Driving Laws

Legislators posted Kentucky House Bill 255, better known as the *Phone-Down Kentucky Act*, in committee in early 2020. Lawmakers have not passed it or put it into effect as of this publication. This bill would ban the use of cellphones or any in-hand communication device while driving, even while stopped at a light. Use of GPS services would still be permitted if the device is integrated into the vehicle or mounted in the car. Use of voice commands or minimal interactions (e.g., using a finger to activate a phone) would still be permitted. In addition to stricter limits on phone use, this bill will increase fines for distracted driving from \$25 to \$100 for the first offense and from \$50 to \$200 for repeat offenses.



Distracted driving is the leading contributing factor in collisions. In 2019, Kentucky reported 56,257 collisions, resulting in 143 deaths, because of cell phones, driver distractions, or driver inattention.



Current Kentucky Speeding Laws

Kentucky determines speed limits on both a state and county level, depending on the road. Unless otherwise specified, the speed limit is 35 mph in residential or business areas; 55 mph on state highways; and 65 mph on interstate highways and parkways. Some segments of interstate highways may be 70 mph, depending on the engineering and local traffic ordinances. The speed limit for off-street parking lots is 15 mph unless otherwise posted. When driving in a construction zone, posted speed limits should be followed.

Following the posted speed limit is important for driver safety, which includes driving both above or below the speed limit. Driving at slower speeds can block normal traffic flow and may also result in a violation, unless the slower speed is necessary (e.g., driving in severe weather conditions, driving with a spare or donut tire on). Turning on flashing hazard lights can be helpful to alert other drivers that you are driving at slow speeds for a reason.

The Financial Costs of Distracted and Reckless Driving in Kentucky

Distracted Driving Violations

Distracted driving can lead to slower reactions times, unnoticed speed increases, missed road signs or stops, and may result in a continuum of harm — from driving violations to death. In terms of financial costs, the current fee for a first violation of distracted driving laws is \$25, plus 3 points added onto your driving record. After the first violation, repeat violations will result in an additional 3 points added to your driving records and a \$50 fine. Court costs or other legal fees may also apply.

Speeding Violations

The cost of a speeding violation will vary depending on how many miles over the speed limit you were driving and where the violation took place. If you were speeding within a school zone or active work zone, the fine automatically doubles. For example, if you are going 15 miles over the speed limit in a 45-mph zone, your fine may be around \$60. If this is in a school or construction zone, your fine automatically increases to \$120. You may also have points added to your driving record or face suspension of your license depending on the severity of your offense. To see a full layout of the “double” cost of speeding, see KRS 189.394.

Getting a License

Instructional Permit

Kentucky uses a graduated driving system. The first step toward gaining a driver's license is gaining an *instructional permit* or “learner's permit.” To apply for a permit, a person must be at least 16 years old and have not previously lost driving privileges in Kentucky or other states. Applications are submitted through the County Circuit Court Clerk's Office. A social security card and birth certificate are required. Those younger than 18 will need a parent or guardian's signature on the application along with the “No Pass/No Drive” form their school provides.

Potential drivers will take vision and knowledge tests, and if they meet the requirements, they will receive an instructional permit. The instructional permit allows drivers to drive with any fully licensed driver older than 21 in the car. Instructional drivers cannot drive between midnight and 6 a.m. unless it is necessary, like in cases of emergency. Further, they can only drive with one nonrelated passenger younger than 20 in the vehicle; however, the number of related individuals as passengers is not limited.

Intermediate Permit and Full License

Drivers younger than 21 can apply for the road portion of the driving test 180 days after obtaining an instructional permit. Those older than 21 can apply for the road test 30 days after obtaining an instructional permit. After

passing a road test, drivers receive an *intermediate permit*. With this permit, drivers are not required to have a fully licensed driver older than 21 in the car to be able to drive; however, curfew and passenger limitations still apply. All intermediate drivers must complete a safety course before they can receive a *full license*. Once the safety course is completed, drivers can obtain a full license after 180 days or after turning 18 years old.

Teaching New Drivers

In Kentucky, it is up to parents or legal guardians to decide when their teen is ready to drive. Minor drivers cannot apply for a permit or license without a signature of a parent or guardian who agrees to accept responsibility. If you have a teen driver, the best way to teach them how to avoid distractions behind the wheel is by modeling good driving behaviors yourself. Discuss distracted and reckless driving and the risks they pose. If you are teaching someone younger than 18 to drive, educate them about the extra limits placed on them surrounding distracted driving (e.g., no cellphone use). Also, ensure the car they drive is up to date on maintenance, the inside is free from debris or trash, and consider using safe driving monitoring tools. It may also be helpful to review the Kentucky Drivers Manual again to ensure your knowledge of driving regulations and understanding of safety recommendations are current.

Driving under the Influence

In Kentucky, driving under the influence of any substance, known as receiving a DUI, can lead to reckless driving violations and DUI penalties. It also may cause decreased reaction times, increased emotional responses or road rage, and clouded judgment when it comes to safety and decision making. Drivers younger than 21 are under a zero-tolerance policy for driving under the influence of drugs or alcohol.

For drivers older than 21, the minimum legal limit for blood-alcohol in Kentucky is .08%. At this level, the law says that you are driving under the influence and will receive a DUI citation. Fines for a first offense range from \$200 to \$500, plus a mandatory \$375 service fee. Additionally, DUI offenses may result in imprisonment (from 48 hours to 30 days in county jail) and/or losing your driver's license (from 30 to 120 days). DUI offenders may apply to enter a community labor program for 48 hours to 30 days instead of fine and/or imprisonment.

Additional DUI convictions will result in tougher penalties that may include larger fines, legal fees, imprisonment, losing your driver's license, restricting your license, ignition interlock, community labor/service, mandated alcohol abuse education or treatment program, misdemeanor, or felony.

Cost of Collisions

Distracted or reckless driving, including speeding and impaired driving, can result in more than a driving violation. If you are in an accident, you may suffer other financial costs as a result. For example, you might damage your car or sustain an injury. Depending on the severity of the accident, you could face substantial costs of repair and/or medical bills for you or others injured at your negligence. Additionally, you might need legal counsel because of your collision. Legal counsel for driving-related factors typically starts at \$1,200 or more (not including the fine of the violation), depending on attorney and court fees.

There is also an emotional cost of collisions, especially when others are involved. This may include passengers in your vehicle, people in another vehicle, or the family member who receives a knock on the door that a child or spouse has been killed by someone driving under the influence or while texting and driving. Remember, the consequences of poor driving choices can affect



others besides yourself, including friends, family, and innocent bystanders.

Increased Insurance Premiums

Finally, driving violations and accidents often result in increased car insurance costs. Your insurance company might cancel safe driving benefits when you receive a driving violation. The increase in price varies depending on your insurance company, age, and driving history.

Depending on your driving violation, your county might offer a restorative justice program. These programs offer a class or series of classes in return for potentially reduced fines or legal fees.

Additional Tips to Avoid Distracted and Reckless Driving Emotions Behind the Wheel

Our emotions and level of alertness can affect our focus on the road, leading to careless or distracted driving. Feeling extreme emotions — such as being angry, sad, scared, anxious, stressed, or even excited — can lead to distractions behind the wheel or may alter your judgment and safety when driving. To avoid this, give yourself time to relax and calm down before getting behind the wheel. As feelings of stress and anxiety can often cause people to speed or drive recklessly, schedule plenty of time to reach your destination. If you must drive during times of high stress or emotion, use tools like the radio or your favorite music to

help shift focus to the road and away from your feelings.

If you become upset with another driver, take a deep breath, and avoid retaliation. Retaliation (or “road rage”) often leads to unsafe driving maneuvers that may cause a collision or violation of driving laws. If you become involved in a road rage incident that another driver started, do not engage with them. Instead, Kentucky law suggests calling the police and pulling over in a safe and well-lit area to wait for help to arrive.

Road Trips

Driving for long distances can result in eye-strain, fatigue, inattention to the road, or make you more vulnerable to distractions. Before getting behind the wheel, be sure to get enough rest and avoid medications that may cause drowsiness. If you are driving long distances, take plenty of breaks and stop to rest if needed. The Kentucky Board of Transportation recommends driving only 300 to 400 miles a day, which is about 5 to 6 hours. Using caffeinated drinks in moderation, cool air, or even music can also help you remain alert while driving long distances. If your trip crosses state lines, be aware of that state’s distracted driving laws as well to avoid penalties.

“BRB” to Save Money and Lives

When it comes to texting and driving, or other distracting or reckless driving behaviors, you want to “BRB.” (BRB is “be right back” in text lingo, if you were wondering.) Choose to set your distractions aside and instead focus on the road. The potential costs of engaging in distracted or reckless driving is not worth the risks to your wallet, your safety, or the safety of others. If you urgently need to do anything that takes your attention off the road (e.g., respond to a text or phone call, eat something, interact with someone in your vehicle, navigate directions, or address an issue), find a place to park your car or ask a passenger to handle the issue for you. It can be helpful to put potential cell phone distractions out of sight and silenced. The best place to focus your attention while driving is on the road. The distraction will still be there for you to address once you reach your destination.

Morgann Kidwell, M.S., is a contributing author of this publication.

Resources

- Centers for Disease Control and Prevention. (2020). *Distracted Driving*. https://www.cdc.gov/transportationsafety/Distracted_Driving/.
- Huneck, J. (2020). *A Guide to Kentucky’s Distracted Driving Laws*. <https://www.trustedchoice.com/distracted-driving/kentucky-laws/>.
- Kentucky Administrative Regulations. (2011). *KRS.182.292*. <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=39750>.
- Kentucky Administrative Regulations. (2011). *KRS.189.294*. <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=39751>.
- Kentucky Administrative Regulations. (2019). *KRS.189.394*. <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=48666>.
- Kentucky General Assembly. (2020). *House Bill 255*. <https://apps.legislature.ky.gov/record/20rs/HB255.html>.
- Kentucky State Police. (2017). *Kentucky Driver Manual*. <https://kentuckystatepolice.org/wp-content/uploads/2017/12/Kentucky-Driver-Manual-12-1-2017.pdf>.
- Kentucky Traffic Safety Data Services. (2019). *Kentucky Traffic Collision Facts*. http://kentuckystatepolice.org/wp-content/uploads/2020/10/CrashFacts2019_FY2020.pdf.
- Kentucky Transportation Cabinet. (2021). *Graduated Driver Licensing Program*. <https://drive.ky.gov/driver-licensing/Pages/Graduated-Driver-Licensing-Program.aspx>.
- Kentucky Transportation Cabinet. (2021). *DUI Laws in Kentucky*. <https://drive.ky.gov/driver-licensing/Pages/DUI-Laws.aspx>.
- Street, E. (2019) *Pre-filed Kentucky Bill: Driving with a Cellphone in Hand could be Illegal in 2020*. Retrieved from <https://spectrum-news1.com/ky/lexington/news/2019/09/01/representative-james-tipton-files-bill-to-make-driving-with-a-hand-held-cellphone-illegal-in-2020>

Images:

Copyright 2021, Getty Images