The background of the slide is a solid dark brown color with a pattern of lighter brown, semi-transparent autumn leaves scattered across it. The leaves have detailed vein structures and are oriented in various directions, creating a textured, seasonal feel.

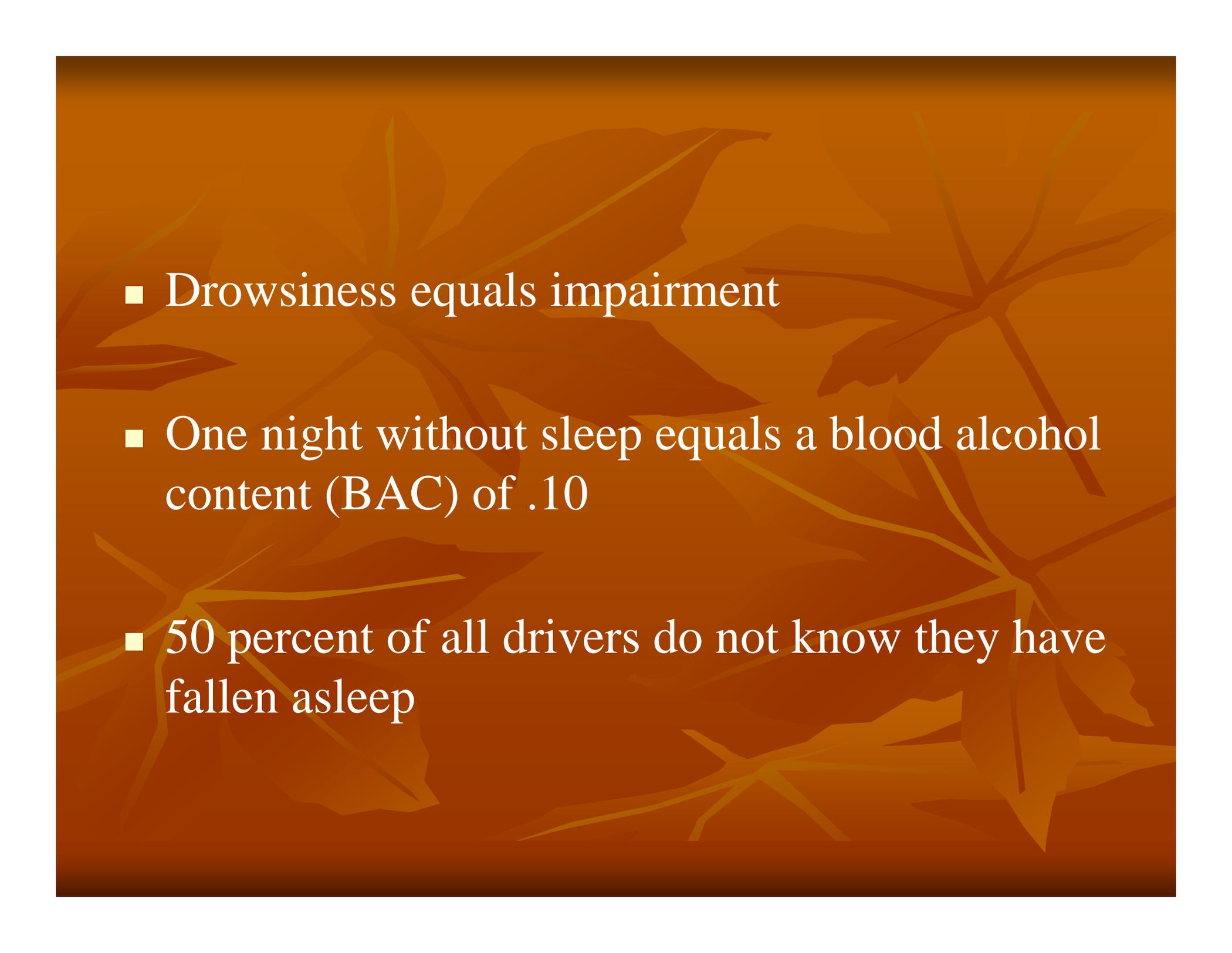
FATIGUED AND DISTRACTED DRIVERS

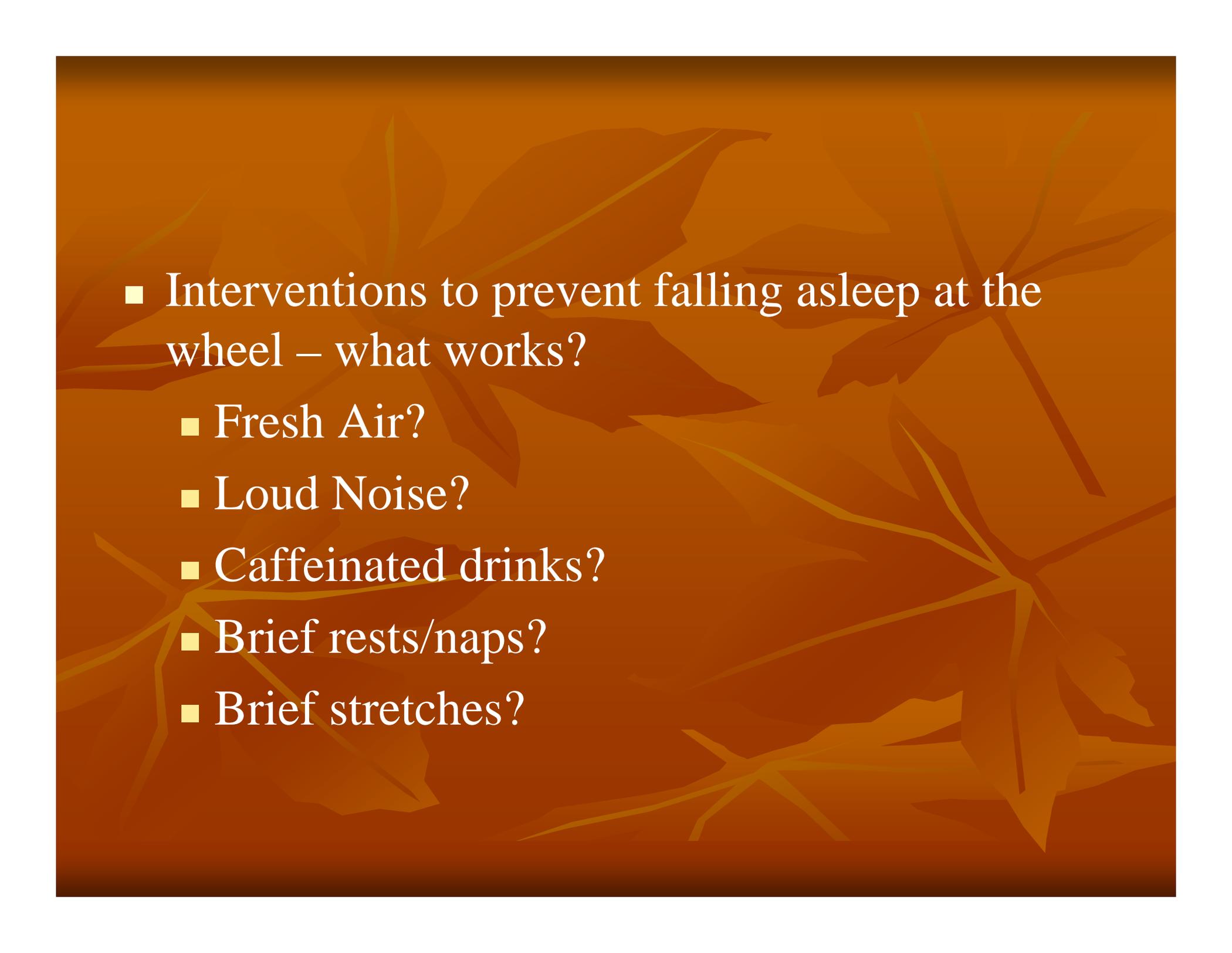
After this Session, you will be able to:

- Describe the way in which fatigue and distraction impair safe driving;
- Discuss different jurisdictional approaches to addressing these behaviors; and
- Discuss how judicial awareness of these issues can improve public safety.

The Drowsy Driver

- Drowsiness increases a driver's risk of crashes and near-crashes by a factor of _____
- Crashes by drowsy drivers are unreported and underreported, according to _____
- What are the warning signs of drowsiness?

- 
- The background of the slide is a solid dark brown color with a faint, stylized pattern of autumn leaves in various shades of brown and orange. The leaves are scattered across the frame, some overlapping, creating a textured, seasonal feel.
- Drowsiness equals impairment
 - One night without sleep equals a blood alcohol content (BAC) of .10
 - 50 percent of all drivers do not know they have fallen asleep

- 
- The background of the slide features a pattern of overlapping autumn leaves in various shades of brown and orange, creating a textured, naturalistic backdrop.
- Interventions to prevent falling asleep at the wheel – what works?
 - Fresh Air?
 - Loud Noise?
 - Caffeinated drinks?
 - Brief rests/naps?
 - Brief stretches?

- **NONE OF THE ABOVE WORKS**
- **SLEEP AND ONLY REAL SLEEP**
will reduce drowsiness
- When tired, the brain will seize sleep in 1, 2, and 3 second intervals – even while you are driving (micro-sleeps)

Discussion Questions

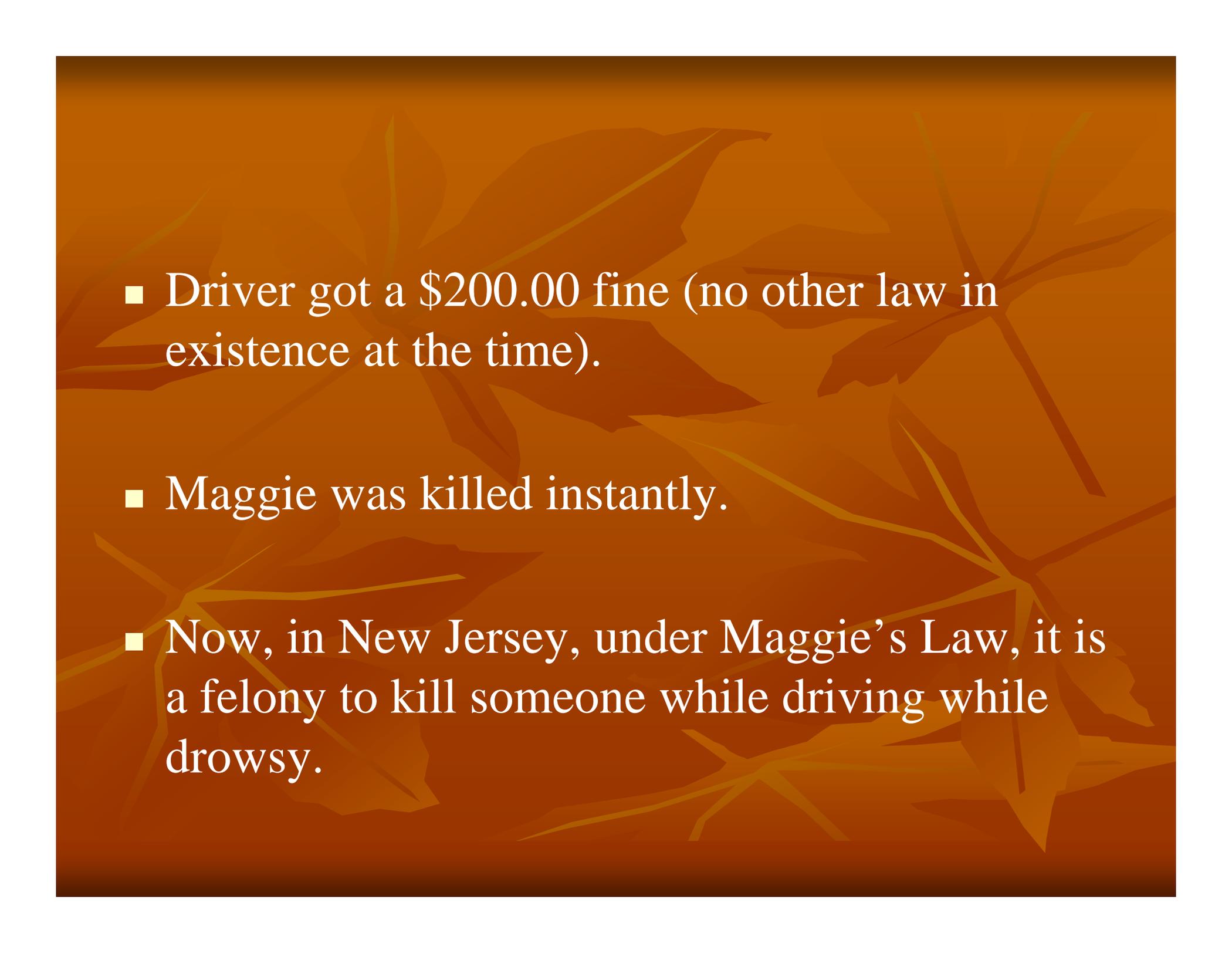
- Is a crash caused by alcohol-induced impairment a more serious crime than a crash caused by fatigue-related impairment?
- How should the law treat a sleep impaired driver?
- What are the commonalities between sleep and alcohol impairment?

Rusty's Regret

The background of the slide is a solid, warm brown color. Overlaid on this background are several stylized, semi-transparent leaves in various shades of brown and orange, creating a subtle, autumnal pattern. The leaves are scattered across the page, with some appearing larger and more prominent than others.

Maggie's Law

- Maggie was 20 years old, in college, heading for work when she was killed.
- Driver swerved across a New Jersey state highway, crashed head on into Maggie.
- Driver had been awake for 30 hours, gambling at casinos, had a trace of crack in his system

- 
- The background of the slide features a pattern of overlapping autumn leaves in various shades of brown and orange, set against a dark brown gradient background.
- Driver got a \$200.00 fine (no other law in existence at the time).
 - Maggie was killed instantly.
 - Now, in New Jersey, under Maggie's Law, it is a felony to kill someone while driving while drowsy.

Tom and Jane

The background of the slide is a solid, warm brown color. Overlaid on this background is a repeating pattern of stylized autumn leaves. The leaves are rendered in various shades of brown, from light tan to dark chocolate, creating a subtle, textured effect. The leaves are scattered across the page, with some appearing larger and more prominent than others. The overall aesthetic is classic and seasonal.

Drowsy Shift Workers

- Drowsy driving is not limited to nighttime
- Night Shift and “Swing Shift” workers are always susceptible
- Statistics on drowsy shift workers literally nonexistent
- The law does not punish sleepy drivers
- How critical is this?

Kevin's Dad

The background of the slide is a solid, warm brown color. Overlaid on this background are several stylized, semi-transparent leaf patterns in a slightly lighter shade of brown. The leaves are arranged in a scattered, overlapping manner, creating a subtle, textured effect. The overall aesthetic is clean and minimalist, with a focus on natural, autumnal motifs.

The Distracted Driver

- Sources of Distraction
 - Change the radio station/Put in CD
 - Deal with the child in the back seat
 - Intense conversation (argument/discussion)

The background of the slide features a pattern of overlapping autumn leaves in various shades of brown and orange, creating a textured, naturalistic backdrop.

- Categories of Distraction

- Visual

- Auditory

- Biomechanical

- Cognitive

- The single most common distraction is:

- **THE CELL PHONE**

Cellular Telephones and Cars

- People driving while on their cell phones are **4 times** as likely to be involved in a crash
- Talking or Listening on the cell while driving – the numbers are the same (**4 times greater**)
- Dialing Cell – much more dangerous, since it requires looking at the keys, but occurs less often than talking or listening

Laws Limiting Cell Phone Use

- Driving w/ handheld cell banned entirely:
 - CT, NY, NJ, DC
- Localities can ban cell phone use:
 - IL, MA, NM, OH, PA
- Localities prohibited from banning cell use:
 - FL, KY, LA, MS, NV, OK, OR, UT

- Cell phone prohibited while driving school bus
 - AZ, AR, CA, CT, DE, IL,
 - ME, NJ, RI, TN, TX, DC
- Cell phone use restricted for teens
 - CO, CT, DE, IL, ME, MD,
 - MN, NJ, TN, TX, WV, DC
- Certain Local Jurisdictions Can Now Regulate Cell Phone Use
 - New Dallas Ordinances
 - Other Cities in Texas

- All but 4 states with cell phone bans or restrictions have primary enforcement laws
 - NJ, secondary for all but school bus drivers and learners permit holders
 - CO, MD, and WV secondary law (only enforced when driver stopped for something else)

Judicial Awareness

- Why do judges need to know these statistics?
- What should judges do with this information?
- What is the judicial responsibility for education of the public on this subject?
- What is your responsibility as a judge, if any, regarding modification of the law as it is applied to those driving while drowsy?

THANK YOU FOR YOUR ATTENTION

You may call, email, or text message me at any time:

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