



# City of Chicago



R2017-301

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:** 4/19/2017

**Sponsor(s):** Burke (14)  
Beale (9)

**Type:** Resolution

**Title:** Call for Chicago Police Department to testify on use of emergency technology in enforcement of traffic laws and vehicle accident investigations

**Committee(s) Assignment:** Committee on Public Safety

## ***RESOLUTION***

***WHEREAS***, upon the introduction of smartphones and increased multi-tasking behavior, the National Highway Traffic Safety Administration is calling distracted driving an epidemic; and

***WHEREAS***, approximately 660,000 drivers are attempting to use their phones while behind the wheel of an automobile; and

***WHEREAS***, The Itasca-based National Safety Council reported that cell phone use while driving leads to 1.6 million crashes each year; and

***WHEREAS***, according to a study by Cambridge Mobile Telematics, 1 out of every 4 car accidents in the United States is caused by texting and driving; and

***WHEREAS***, the Insurance Institute for Highway Safety Fatality Facts reported that 11 teens die every day as a result of texting while driving; and

***WHEREAS***, according to a AAA poll, 94% of teen drivers acknowledge the dangers of texting and driving, but 35% admitted to doing it anyway; and

***WHEREAS***, the Itasca-based National Safety Council found that the number of motor vehicle deaths went up 6 percent nationally and in Illinois, due to the increased number of distracted drivers on the road; and

***WHEREAS***, texting while driving makes you 23 times more likely to crash and is the equivalent to driving blind for 5 seconds according to the National Highway Transportation Safety Administration; and

***WHEREAS***, according to the Washington Times, texting while driving is now the leading cause of death in the United States for teenage drivers, as nearly 50% of all U.S. high school students at 16 or older text or email while driving which surpasses the number of teens who drink and drive; and

***WHEREAS***, the Governors Highway Safety Association has projected an 11% increase in the number of pedestrians killed in 2016 compared with 2015, and also cited smartphone distraction; and

***WHEREAS***, without a search warrant, authorities have to rely on an at-fault driver's honesty and cooperation to determine whether cell phone use was a factor in an accident; and

***WHEREAS***, police must rely on drivers' or witnesses' accounts of cell phone use, and if the facts are in dispute, phone records must be subpoenaed which can be costly and time consuming and is only able to detect calls and texts, which does not include internet-based activity such as social networking or video and music applications; and

***WHEREAS***, in an effort to stop distracted driving, a mobile forensics company has created a piece of technology called "the textalyzer" that helps law enforcement officials determine whether a driver was using his or her mobile device at the time of the accident; and

***WHEREAS***, the device allows the officer to connect a mobile device to a laptop to detect only the operating system logs, which provide information about touchscreen use and whether someone was typing at the time of a crash; and

**WHEREAS**, the textalyzer technology is akin to the breathalyzer that is used for testing on whether the driver is intoxicated while behind the wheel; and

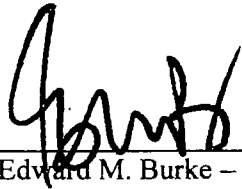
**WHEREAS**, the technology provides law enforcement with a long overdue mechanism to evaluate cell phone use at the scene of the accident and authorizes the use of available technology as a tool to enforce existing law; and

**WHEREAS**, New York and Tennessee are both considering “textalyzer” bills, allowing the device to be used by law enforcement officials in an effort to reduce distracted driving; and

**WHEREAS**, on October 8, 2008, the City Council adopted an ordinance making it illegal to text while driving in the City of Chicago;

**WHEREAS**, in an effort to increase public awareness and discourage adults and teenagers from texting while driving, the textalyzer shall be studied by the Chicago Police Department; now therefore,

**BE IT RESOLVED**, that representatives of the Chicago Police Department shall appear before the Committee on Public Safety to address the use of emerging technology, such as the textalyzer, in enforcing the City’s existing traffic laws or the investigation of vehicle accidents.



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Alderman Edward M. Burke – 14<sup>th</sup> Ward



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Alderman Anthony Beale - 9<sup>th</sup> Ward



## City of Chicago

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### *Crackdown Urged on Texting While Driving*

(April 19, 2017) Aldermen Edward M. Burke (14<sup>th</sup>) and Anthony Beale (9<sup>th</sup>) today urged the Chicago Police Department to examine using a device capable of detecting if motorists have been texting in cases that involve injury-related traffic accidents.

Legislators in New York and Tennessee are already considering using the "Textalyzer," a device akin to a "Breathalyzer," that can provide law enforcement with a long overdue mechanism to evaluate cell phone use at accident scenes.

Officers would use the new technology to scan a motorist's mobile phone to determine if it was used to receive or transmit messages during or just prior to a collision with another vehicle.

"When a motorist is pulled over for suspicion of drinking and driving, police routinely use a breathalyzer during traffic stops. Why not also be able to use a Textalyzer, or similar device to determine if a driver was engaging in distracted driving?" Alderman Burke asked.

Under legislation being considered in other states, refusal to hand over a phone could lead to suspension of a motorist's license, the same penalty as refusing to take a "Breathalyzer."

"Our nation is in the grips of a texting epidemic and drivers text with impunity because they think there is little chance of ever getting caught," Alderman Burke said.

One out of every four car accidents in the United States is caused by texting while driving, according to a study by Cambridge Mobile Telematics.

Statistics show that texting while driving is the leading cause of auto fatalities for teenaged drivers in the United States. An average of eleven teenagers die every day as a result of fatal crashes involving texting. More high school drivers 16 years of age or older text or email and drive than drink and drive.

*-More-*

"Everywhere you look on Chicago streets and on expressways, drivers are texting," Alderman Beale added. "Such illegal activity not only poses a serious threat to other motorists, but also to the many cyclists who regularly use our network of bike lanes and to pedestrians at crosswalks."

Chicago has banned both texting and cellphone use while driving since 2008.

The measure was sent for consideration to the Committee on Public Safety.

For more information contact Donal Quinlan, media liaison, at 312-744-6237.

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