

Final

STATEMENT OF
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COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
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Mr. Chairman and Members of the Subcommittee. I am pleased to appear before you today representing the U.S. Department of Transportation to discuss the problem of aggressive driving. I am particularly pleased to appear with the witnesses you have brought together this morning. Everyone here works with us to solve the problem of aggressive driving.

With me at the witness table are Philip R. Recht, the National Highway Traffic Safety Administration's (NHTSA) Deputy Administrator, James Hedlund, NHTSA's Associate Administrator for Traffic Safety Programs, and Dennis C. Judycki, the Federal Highway Administration's (FHWA) Associate Administrator for Safety and System Applications.

THE HIGHWAY SAFETY PICTURE. To place the problem of aggressive driving into context, let me begin by mentioning several facts about the nation's highway safety picture.

Highway fatalities have decreased from 50,984 in 1966 to 41,907 in 1996, despite an enormous increase in travel. The fatality rate--fatalities per mile of travel--decreased by 69 percent during this period, from 5.5 fatalities per hundred million miles traveled to 1.7, an all-time low. Alcohol involvement in fatal crashes has dropped from 57 percent to 41 percent over this same 15-year period. Seat belt use has grown from 11 percent in 1982 to 68 percent in 1996. Truck-related fatalities continue to decrease despite an increase in truck travel and a 170-percent increase in the number of drivers holding commercial driver licenses. Rail-highway grade crossing fatalities at public crossings have also decreased by 31 percent over the last seven years (1990-1996).

The Department, in implementing the highway safety programs this Committee was so instrumental in developing, has contributed to this progress. The number and costs of fatalities and injuries would be significantly higher if not for our programs. Since 1992, seat belts, child safety seats, motorcycle helmets, and the age-21 minimum drinking age laws have saved over 40,000 lives. Elimination of highway roadway hazards has saved an estimated 6,200 lives; an additional 1,700 lives have been saved through the rail-highway crossing improvement programs.

Despite these advances, recent statistics show there is no room for complacency. After years of steady decline, the total number of highway deaths increased slightly in each of the last four

years. In 1996, 41,907 people died and over 3 million more were injured in police-reported crashes. Though our fatality rate remains at an all-time low, these highway crashes still cost the Nation \$150.5 billion a year. *We estimate that about one-third of these crashes and about two-thirds of the resulting fatalities can be attributed to behavior associated with aggressive driving.*

AGGRESSIVE DRIVING. For years the highway safety spotlight has been focused on the impaired driver, the speeding driver, and the unbelted driver and passengers. Today we must add the aggressive driver to the list of those contributing to the problems on our nation's roads and highways.

Everyone has seen examples of aggressive driving, and many of us, at some time, have driven aggressively ourselves. Let me begin with a definition of what we are talking about. The Department defines *aggressive driving* as "driving behavior that endangers or is likely to endanger people or property." This definition includes a broad spectrum of driving behaviors, ranging from risky driving and escalating to dueling and violence on the road.

Aggressive drivers are *more likely* to:

- Speed, tailgate, fail to yield, weave in-and-out of traffic, pass on the right, make improper and unsafe lane changes, run stop signs and red lights, make hand and facial gestures, scream, honk, and flash their lights
- Climb into the anonymity of an automobile and take out their frustrations on others at any time
- Allow high frustration levels to diminish any concern for fellow motorists
- Be impaired by alcohol or drugs, and drive unbelted or take other unsafe actions

Aggressive driving incidents are reported in newspapers throughout the country every day. Last year, on Virginia's George Washington Memorial Parkway, a dispute over a lane change led to a high-speed race that ended when both drivers lost control and crossed the median. Two people died. Horror stories like this one are now commonplace. Aggressive driving is taking its toll on America's highways, and these drivers must be stopped.

WHAT CAUSES AGGRESSIVE DRIVING? The causes of aggressive driving are complex; no one has all of the answers. Some psychiatrists point to deep-rooted personal causes such as stress disorders that lead to impaired judgment. Social scientists have tended to see a connection between societal problems and uncivil or violent forms of driving behavior.

What we do know is that three factors in particular are linked to aggressive driving: (1) lack of responsible driving behavior; (2) reduced levels of traffic enforcement; and (3) increased congestion and travel in our urban areas.

Lack of Responsible Driving Behavior. The problem of reducing aggressive driving begins with the individual driver. Driving is a privilege that demands responsibility. On the road, the focus is often on individual rights and freedom--a "me first" philosophy--not on our responsibility to others with whom we share the road. Each driver must accept responsibility for his or her actions on the road.

We must raise the level of responsible driving behavior. For example, greater attention must be given to the fact that all drivers are part of a system that includes other drivers, passengers, and pedestrians. As part of this system, we have to follow basic rules to make the system work. Driving is a cooperative venture, not a competitive sport; and cooperation really is the main way to achieve safety for all. Without cooperation we revert to the laws of the jungle, not of the road. All drivers, and new drivers in particular, beginning in driver's education classes, need to be made aware of more than just the "rules of the road." They must be taught that the consequences of aggressive driving lead to tragedy and that, in addition to being illegal, aggressive driving is often clearly criminal.

Reduced Levels of Traffic Enforcement. We also need vigorous enforcement of traffic laws. The perceived risk of being apprehended for a traffic violation is directly related to the level of traffic enforcement. The fewer the enforcement actions that are taken, the more frequent the aggressive behavior. Simply put, people tend to respect what the police inspect.

Unfortunately, some jurisdictions are cutting back on police traffic enforcement in this period of shrinking budgets. It is important to remember, however, that more Americans die by the violence of motor vehicle crashes than any another source of violence. As I mentioned earlier, last year 41,907 people died in traffic crashes. The number of these tragedies should help us realize that we need more police on our roads, not less. In short, more must be done to adjust law enforcement resources to address the heightened need of traffic enforcement.

We also need strong laws that are well enforced. Sound laws not only benefit the driving public and law enforcement officers, they also aid the judicial system. Aggressive driving is a serious offense, but it will not be treated as a serious offense if our courts are not given the ability to provide appropriate punishments. Strong penalties send strong messages that this form of behavior will not be tolerated.

Increased Congestion and Travel, Especially in Our Urban Areas. Traffic congestion is one condition frequently associated with aggressive driving. Since 1987, the number of miles of roads in the United States has increased by only 1 percent while the number of vehicle miles driven has increased by 35 percent. More cars and more drivers are also on the road. In the past decade, the number of cars grew 17 percent faster than the population, which grew at 10 percent.

When driver expectations are unmet, anger and aggression can be unleashed. For example, if a driver expects a trip to take 10 minutes and it takes more than 30 minutes, frustration grows. Many drivers respond to this frustration by acting and driving aggressively, sometimes even after

the gridlock ends. New roads or added lanes should be considered; however, expansion is often not the answer, or even a viable option. In short, we cannot always “build” our way out of the problem. We will have to turn to improved traffic operations and technology to accommodate these increased traffic demands. Reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) which the Congress is now working on, is a critical component to the solution of the aggressive driving. I will discuss this element in an additional detail later in my testimony.

In 1996, as part of the Capital Beltway Safety Initiative begun by Secretary Slater when he was FHWA Administrator, the Department undertook a study on the crash problem on the Capital Beltway--among the worst traffic-congested areas in the country. We found that congestion during peak hours is a frequent and primary factor for crashes. About 10 percent of these crashes were followed by subsequent crashes--and of course more congestion.

AGGRESSIVE DRIVING COUNTERMEASURES. The Department’s activities to combat aggressive driving are focused on the 3 E’s: education, enforcement, and engineering countermeasures.

Education. Last year, NHTSA distributed public information and education materials on aggressive driving to the 23 major media markets. In addition, NHTSA's Deputy Administrator Phil Recht and I have taken advantage of every opportunity for television and radio interviews to discuss this problem. We appeared on *Good Morning America*, *Oprah Winfrey*, *Dateline*, and a variety of other television shows. I also taped several inserts for airing on the *Real Stories of the Highway Patrol* series, and did a lengthy interview for the *Law Enforcement Television Network*. In addition to these media appearances, I spoke to a number of national organizations about the many issues related to aggressive driving.

One of our main information and education activities includes providing tips to motorists on how to avoid conflicts with aggressive drivers. We are sending this information to 50,000 highway safety professionals and advocates.

NHTSA and FHWA are working with the States and their law enforcement communities to establish a uniform, nationwide cell phone number for motorists to report aggressive drivers to State or local police. The agency's tips on how to avoid conflicts with aggressive drivers will be included in the bills sent to 20 million cell phone subscribers.

FHWA has initiated a program on the problem of running red lights--a common violation of aggressive drivers--and has developed an outreach campaign that incorporates vigorous enforcement. To date, over \$600,000 has been awarded to 32 communities across the country to raise public awareness of this particular type of aggressive driving behavior. The City of Milwaukee recently received \$25,000 to kick off their campaign on this problem. The preliminary results of these campaigns show up to a 24 percent reduction in crashes.

Another of the Department's major programs that is making great strides in combating aggressive

driving and increasing safety awareness on the highways is FHWA's Share-the-Road, or "No-Zone" Campaign. In its fourth year, the No-Zone campaign has been very successful in educating the public and increasing their awareness about sharing the road with commercial drivers in order to reduce traffic crashes. Through a host of strategic outreach tools, the campaign highlights the dangers of driving or "lingering" in the "blind spot" or "no-zone" areas of commercial motor vehicles.

Enforcement. Aggressive drivers must be held accountable for their actions. One of the best countermeasures to aggressive driving is the *cop in the rear view mirror*. The vigorous enforcement of traffic laws and the knowledge that there will be swift and sure penalties for their violation works better than anything else. Aggressive drivers must get the message that their behavior will not be tolerated, and that they will be prosecuted.

Delaware, Pennsylvania, New Jersey, and New Mexico recently initiated special, regional highway patrols targeting aggressive drivers.

In April, Secretary Slater announced a \$100,000 grant to Washington area law enforcement agencies for their joint efforts in conducting the "Smooth Operator" program. "Smooth Operator" is a regional public awareness and enforcement effort targeting aggressive drivers on the Capital Beltway. In addition to routine traffic enforcement activities, State and local jurisdictions around the nation's capital currently are conducting enforcement "waves" throughout the summer. These enforcement "waves" are high profile operations with law enforcement officers targeting and issuing citations to aggressive drivers. We believe that the unprecedented effort of the "Smooth Operator" program--which will be discussed in detail shortly by a representative of Virginia--will show how effective law enforcement can be in combating aggressive driving.

Also, new technology is being used in the Capital Beltway Initiative to deter aggressive driving. Conventional law enforcement patrol tactics have been proven to have limited effectiveness in reaching a significant number of violators in the congested and hazardous operational environment of the Beltway. Instead, the Beltway project will use advanced technologies to detect and record traffic violations. Technologies to be used include laser imaging or video speed detection devices and high resolution digital traffic cameras. The imaging evidence will be used to support traffic enforcement actions and an associated public information campaign to reduce aggressive driving behavior associated with trucks, buses and other vehicles on the Beltway.

NHTSA strongly supports graduated licensing programs for young drivers, which we address under our Section 402 State and community highway safety program. It really is too easy to obtain a driver's license in many jurisdictions. Thirteen States now have graduated licensing programs in some form. These programs strengthen the licensing process by providing a provisional period for the novice driver during which certain restrictions are imposed, such as no driving between the hours of midnight and 5 a.m. This allows young drivers to develop safety conscious attitudes and behaviors in addition to the skills needed for safe driving.

Another of NHTSA's major efforts in this area is a demonstration project on aggressive driving enforcement. We will award a contract this year to one of the 27 highest traffic-congested metropolitan areas. The project's purpose will be to identify effective, innovative enforcement techniques, possible applications for new enforcement technology, legislative needs, prosecutorial or judicial needs, and the role, if any, that alcohol or drugs may play in this problem. Our results will be published and distributed nationally to law enforcement and other members of the criminal justice system. Any techniques that are proven effective in combating the aggressive driver will be tested in two other locations to validate the results.

Commercial vehicles are often mentioned as an area of particular concern. If a truck driver is an aggressive driver, he or she is particularly dangerous to the other drivers who share the road. (Most fatalities in fatal truck crashes are occupants of the other vehicle, not the truck's occupants!). FHWA's Motor Carrier Safety Assistance Program (MCSAP) and Pennsylvania law enforcement have teamed up to catch aggressive truck drivers using a high tech approach that includes using photo laser imaging or radar at high crash locations where excessive truck speed previously has been identified as a crash factor. If a truck driver is identified as driving too fast, the image is forwarded downstream using cellular technology. The vehicle is then pulled over for a commercial motor vehicle examination and the driver is charged with speeding. This concept has tremendous promise since it targets violators, and it serves as a "general deterrence" as the word spreads among commercial vehicle drivers and carriers on Pennsylvania highways.

FHWA has also worked with a group of 21 States to develop a new, national public information campaign on work zone safety. Work zones are a necessary stage of rebuilding our highways, but they contribute to traffic congestion and associated driver aggression. Every day, there are two deaths associated with work zone crashes in the United States. The campaign will be made available to all States later this year.

NHTSA and FHWA have jointly developed and continue to implement a Speed Management Plan combining research, enforcement, roadway engineering and public education. Speeding is frequently a significant aspect of the aggressive driving, and often precedes tailgating and sudden lane changes. In 1995, speeding was a factor in 31 percent of all fatal highway crashes, at a cost to society and the economy of more than \$29 billion.

Traffic enforcement not only makes our roads safer, but can have a substantial effect on other criminal activity. Most criminals drive to and from their illegal activities, and therefore, when traffic enforcement increases, more criminals are detected and crime decreases. Perhaps the most famous example is Timothy McVeigh, the convicted Oklahoma City bomber, who was arrested at a routine traffic stop. A 1995 study in Grand Prairie, Texas, showed that 37 percent of all criminal arrests came from traffic stops. About one-half of the arrests in Grand Prairie were for non-traffic offenses, such as drug offenses, stolen vehicles, illegal weapons, and outstanding warrants for burglary, robbery, and violent crimes. Increased traffic enforcement in Modesto and San Bernadino, California, and Peoria, Illinois, resulted in reduced criminal activity as well as in increased traffic safety.

The court system has an important role to play, as well. Just as law enforcement must take traffic offenses seriously, so must the courts. The courts now recognize that drunk driving is not something to laugh at but is a serious crime that can injure or kill innocent bystanders. Other aggressive driving actions must be treated equally seriously.

Prosecutors must vigorously prosecute aggressive driving cases. Charges must not be reduced. When appropriate, the charges should be substantial, including vehicular homicide or reckless endangerment. Judges must treat these cases seriously and sentence offenders with appropriate severity. The courts must send a consistent message to the driving public that aggressive driving behavior will not be tolerated.

Engineering and Operations. The techniques our engineers use to design roads affect the safety of motorists. These countermeasures involve design and operational changes and often are focused to reduce speeding. Through engineering changes, we can reduce the likelihood of stress and reduce the likelihood of speeding.

Engineering approaches offer two basic types of countermeasures against the aggressive driver: highway design and traffic operations. With highway design, we can redesign the road to add capacity or accommodate increased traffic thruput. Highway design can also ameliorate the injury consequences for motorists who come into contact with aggressive drivers. Some examples are clear recovery zones, break way sign posts, and divided medians.

Traffic operations offer a way to accommodate increased traffic flow or at least get it under control, without building new roads. Intelligent Transportation Systems (ITS) applications offer great promise in this area. Three examples using smart traffic signal controls follow:

- In Lexington, KY, coordinated traffic signals reduced "stop and go" traffic delays by 40 percent and reduced crashes by 31 percent between 1985 and 1994.
- Minnesota's ramp metering management program increased peak period speeds by 35 percent and reduced crashes by 15- 50 percent while peak period demand increased 32 percent.
- In Seattle, ramp metering along Interstate 5 kept traffic moving and cut crash rates by more than 38 percent over a six-year period despite a 10 to 100 percent increase in traffic along various interstate segments.

Freeway management systems are especially valuable in decreasing driver frustrations fueled by gridlock and slow traffic. ITS state-of-the-art freeway management systems can decrease travel time by 20-48 percent, increase capacity by 16-25 percent, and help create a cleaner atmosphere by cutting down fuel consumption used by vehicles while standing still in congestion. This approach will be especially helpful in urban areas, where new road capacity is not likely to be possible.

A study of the 50 largest urbanized areas found that the roadway capacity needed to accommodate the next generation of drivers could be provided for 35 percent less cost than if only traditional lane-widening techniques were used. These savings would come from a combination of ITS technology and an expansion of capacity.

DOT'S NEXTEA PROPOSAL PROVIDES RESOURCES FOR COUNTERMEASURES.

The Department's proposed "National Economic Crossroads Transportation Efficiency Act of 1997" (NEXTEA) contains several provisions that can be used to develop comprehensive State and community programs aimed at combating aggressive driving.

The keystone of NHTSA's efforts in highway safety, jointly administered with FHWA, is the State and community highway safety grant program, known by its U.S. Code provision as the "Section 402" program.

The Section 402 program provides funds to every State to address their critical highway safety issues, and thus includes aggressive driving countermeasures. For example, Virginia, Maryland, and the District of Columbia are using their current Section 402 funds to implement innovative programs, such as Smooth Operator, and programs to curb aggressive drivers. In New Jersey, the New Jersey State Police, Division of Highway Safety, and municipal police departments in six counties used Section 402 funds to launch a program combining aggressive enforcement and public information efforts with a statewide toll-free cellular phone number for motorists to report aggressive driving. By reauthorizing the Section 402 program, Congress can enable these States to continue funding such programs, and provide additional States will have the assistance they need to implement new aggressive driving programs throughout the country.

NEXTEA's Integrated Safety Fund, as proposed in NEXTEA, would reward States that have good integrated safety plans, by giving them new funds they could use on any or all of the following programs: Infrastructure Safety Program, Section 402 Highway Safety Programs (mainly the behavioral programs), and the Motor Carrier Safety Assistance Program. With these funds, States and local communities can develop a multi-faceted plan to address the problem of aggressive drivers. For example, a community could use Integrated Safety Funds to increase law enforcement on roadways where aggressive drivers are particularly prevalent, finance public information campaigns to make aggressive driving socially unacceptable, increase inspections to ensure truck drivers are not falsifying their travel logs (and driving longer than permitted), and install median barriers to ensure that if aggressive drivers do lose control of their vehicles, they will not cross over into on-coming traffic.

Our NEXTEA proposal also would increase the flexibility of the Surface Transportation Program (STP) to authorize the use of these funds to develop anti-aggressive driving initiatives. Under this proposal, States that have good integrated highway safety plans would be allowed to transfer STP funds to any of the three highway safety programs mentioned above.

NEXTEA also would sustain the Federal commitment to Intelligent Transportation Systems (ITS), mentioned earlier, and provide funds for using highway design features to counteract

the effects of aggressive driving.

The Department's "Surface Transportation Safety Act of 1997," introduced as H.R. 1720, includes several significant safety initiatives--particularly an aggressive strategy to increase safety belt use through "primary" seat belt laws, which allow police to ticket motorists solely for failure to use a seat belt.

Our message is simple: seat belts are the best defense *against* aggressive driving! Seat belts are now saving 9,500 lives annually. A person is twice as likely to die or sustain a serious injury in a crash if unbelted. The experience of the 11 States that already have primary seat belt use laws has shown that these laws are one of the most effective strategies for increasing seat belt use--and for saving lives.

WHAT EACH OF US CAN DO NOW. Finally, I want to stress what each of us can do **right now** about the aggressive driver. We can deal with this person on two levels: personal and societal.

On the **personal level**, seat belts are our best defense **against** aggressive driving, and each of us must ensure that we--

- Don't become part of the problem
- Don't personalize or challenge
- Report aggressive driving behavior

We also have to examine our own behavior to be sure that we are not doing something that another driver perceives as an insult. A certain percentage of our population always will retaliate to an insult. With this in mind, we need to be sure there is enough room to merge in front of another car, and we need to let another car merge in front of us in a fair way. Each of us needs to take responsibility for not contributing to the problem.

As a society, we have to send a clear message that driving is a privilege that demands responsibility. That message--which we are delivering with the help of our partners in highway safety--must increase public awareness that our communities support highly visible, aggressive enforcement. On the **social level**, each of us must ensure that we--

- Increase awareness of consequences and send strong social messages on responsible driving
- Support strengthened licensing systems (such as graduated licensing which ensure that the people who drive on the highways do so safely through solid driver training)

- Support strong, well-enforced laws (the answer to aggressive driving is aggressive enforcement)
- Support appropriate punishment from the judicial system (strong penalties send strong messages)
- Support improved highway management and operations (increase motorist information and capacity)

The good news is that we are beginning to see an increased nationwide awareness of the consequences of aggressive driving. A few recent cases have even charged aggressive drivers with negligent homicide.

CONCLUSION. Finally, I want to stress that motor vehicle crashes are not inevitable, they are avoidable. We are not helpless. We all have the power to make things better. We should use that power--and remember to Buckle Up on Every Trip!

Mr. Chairman, this concludes my prepared remarks. My colleagues and I will be glad to answer any questions you might have.

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