

Mobile phone use at the wheel

Current Government policy

The law around using a mobile phone at the wheel is the same across GB and NI¹, however individual police forces may have their own approach to enforcement. Currently, it is illegal to use a handheld mobile phone at the wheel and offenders can receive a £200 fine and 6 points on their licence. For new drivers of less than two years, this can result in a loss of licence². Hands-free devices are legal, though drivers can still be prosecuted if driving without due care and attention if they are distracted by such a device. In 2023, some police forces including Devon and Cornwall began trialling the use of AI cameras to catch offenders³.

IAM RoadSmart Research:

2023 IAM RoadSmart Road Safety Culture Report found:

- Almost two-thirds (62%) of drivers believe that driver distraction such as talking and texting at the wheel is a bigger problem than three-years ago.
- A large majority of drivers (80%) consider others' illegal phone use as a threat to their own personal safety, with a quarter (24%) now believing it to be a top-three priority for roads policing.

February 2024 IAM RoadSmart Opinion Panel survey of 2,437 members found:

- Confiscations: Over a quarter (27%) of respondents support the idea of the police confiscating mobile phones for a short period and offenders having to pay to get their phone back as an additional punishment to the existing £200 fine and points endorsement.
- A further 7% support confiscation but do not think offenders should pay to get their phone back. A small majority (56%) were unconvinced that taking a phone was appropriate.
- On current penalties: Half (51%) said 6 points/£200 fine is about right, with 42% believing it is too lenient. 4% said the current penalty is too harsh. Of those saying too lenient 34% want an instant six-month driving ban and an unlimited fine. This was followed by a £1,000 fine and six points on a licence (supported by 20%).

IAM and TRL research⁴ from 2011:

- Showed that smartphone use slowed down reaction times (by up to 30%) and resulted in greater lane departure/poor lane discipline.

¹<https://www.nidirect.gov.uk/articles/using-your-mobile-phone-while-driving#:~:text=In%20Northern%20Ireland%20if%20you,maximum%20of%20of%20C2%A31%2C000.>

²<https://www.gov.uk/using-mobile-phones-when-driving-the-law>

³<https://www.fleetnews.co.uk/news/car-industry-news/2023/08/17/ai-cameras-that-can-spot-mobile-phone-use-prove-successful-in-trials>

⁴https://trl.co.uk/uploads/trl/documents/PPR592_secure.pdf

External research

Final 2022 DfT road safety statistics⁵ show:

- In 2022, there were 468 collisions of all severities where the contributory factor was a driver using a mobile phone. This may underestimate the problem. The same data shows 2,616 collisions caused by in-vehicle distraction.
- In 2022, there were 21 fatal collisions where a contributory factor was a driver using a mobile phone. The same data shows 76 fatal collisions caused by in-vehicle distraction.
- Since 2013, there has been 256 deaths on our roads caused by a driver using a mobile phone at the wheel.

DfT/IpSos Mori⁶ (2021):

Sizeable minorities said they:

- need to see notifications or calls that come through their phone while driving/riding in order to respond fast (12%),
- or thought using their phones while driving/riding does not distract them (14%).

DfT Think!⁷:

Drivers using a hands-free or handheld mobile phone are slower at recognising and reacting to hazards.

Research shows:

- You are 4 times more likely to be in a crash if you use your phone.
- Your reaction times are 2 times slower if you text and drive using a hands-free phone than if you drink drive, and this increases to three times if you use a handheld phone.
- Even careful drivers can be distracted by a call or text – and a split-second lapse in concentration could result in a crash. At 30 mph a car travels 100 feet in 2.3 seconds.

International research (2015) – European Road Safety Observatory⁸:

- In Sweden it has been estimated that around 10 to 20 people die annually as a result of using a cell phone while driving.
- A Dutch study estimated that nearly 600 road deaths and hospital admissions would have been prevented annually (2004 data) in the Netherlands with zero cell phone use while driving.
- A US study estimated that cell phone use while driving in the US results in around 2,600 deaths and 330,000 serious injuries annually.

2023 RAC Report on Motoring⁹:

- 23% considered others using a mobile phone at the wheel to be one of their biggest motoring concerns (4th biggest overall motoring concern behind fuel costs/potholes/poor driving standards).
- 30% of drivers aged 17–24 admit to making a video call in the last 12 months vs 9% of all drivers.
- 12% maintain they can safely hold and use a mobile phone and drive at the same time.

⁵DfT: RAS0701: Reported road collisions and casualties by severity, contributory factors and road user type, Great Britain, 10 years up to 2022

⁶<https://assets.publishing.service.gov.uk/media/60e6cf6fe90e0764cd989f70/research-on-mobile-phone-use-while-driving.odt>

⁷<https://www.think.gov.uk/themes/mobile-phones/>

⁸https://road-safety.transport.ec.europa.eu/system/files/2021-07/erso-synthesis-2015-cellphone_en.pdf

⁹<https://www.rac.co.uk/report-on-motoring>

IAM RoadSmart calls to action:

- **Penalties:** We believe the Government should review the current penalties to see if they need to be increased to increase the deterrent. The Government should consider all options, including whether police forces should be allowed to confiscate phones for a short period, though our preference would be an increase in the level of the fine.
- **Enforcement:** We support changes to the Home Office type approval process to ensure police forces have access to cameras that can detect illegal phone use at the wheel.
- **Education:** A refreshed campaign from Think. We support courses for offenders but believe further research is required to see if these reduce reoffending compared to those who are issued a fine and points on their licences.
- **Professional:** Those companies who actively force drivers to use mobiles when in motion should be prosecuted under corporate manslaughter or health and safety laws. As part of their safety management policy companies should be encouraged to take a 'zero tolerance' approach to phone use when driving on business.
- **Social media platforms:** We call on social media companies to use AI to prohibit or immediately remove videos uploaded by drivers from uploading videos of them engaging in illegal behaviour. This includes updating their terms of service/user agreements to explicitly condemn use of the platform when driving and define it as a breach with potential for account removal.

Hands-free use:

- IAM RoadSmart is not calling for a change in the law to ban hands-free devices considering there are many distractions drivers need to manage inside the vehicle but urges drivers to take responsibility and avoid touching screens and taking voice or video calls while driving.

COMMENT

IAM RoadSmart Director of Policy and Standards Nicholas Lyes said:

"Using a handheld mobile phone while driving is illegal and dangerous.

"Worryingly, as technology has advanced and smartphones have become integral to almost everything many of us do, it means there is even greater scope for being distracted behind the wheel. The increased use of video calls at the wheel, particularly among younger drivers, is especially concerning.

"Reducing this sort of behaviour should be a priority for policy makers. First, the Government should look at whether current penalties are a sufficient deterrent. Secondly, we must give police officers the technology they need to enforce the law. In the absence of more cops on the beat, we need to make sure that drivers know that if they are going to break the law, then they will be caught."