



County of San Mateo

Inter-Departmental Correspondence

Department: BOARD OF SUPERVISORS
DISTRICT 5
File #: 16-499

Board Meeting Date: 9/12/2017

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Supervisor David Canepa
Subject: Resolution to promote traffic safety

RECOMMENDATION:

Adopt a resolution urging the state legislature to take action to promote traffic safety by prohibiting use of cell phones while crossing streets, or, alternatively, giving express authority to local jurisdictions to regulate the issue.

BACKGROUND:

Since the year 2000, cellphone use has increased more than eight-fold. That increased use has unfortunately been accompanied by a dramatic increase in pedestrian injuries due to cell phone-related distracted walking. According to a 2015 report by the National Safety Council (NSC), "distracted walking incidents involving cell phones accounted for more than 11,100 injuries between 2000 and 2011."

The NSC notes that it is "just as important to walk cell free as it is to drive cell free," because "pedestrians and drivers using cell phones are both impaired and too mentally distracted to fully focus on their surroundings." Indeed, both the National Safety Council and the National Highway Traffic Safety Administration recommend to "never use a cell phone or other electronic device while walking."

The findings of the NSC are echoed in a recent study conducted by researchers at the Ohio State University. That study found that an estimated 1500 pedestrians were treated in emergency rooms in 2010 for injuries due to cell phone-related distracted walking, which was double the reported level in 2005, despite an overall decrease in the level of pedestrian injuries arising from all causes. The study further found that distracted walking injuries are most prevalent among those of ages 16 to 25 years old.

DISCUSSION:

Some jurisdictions have begun to legislate in the area of cell phone-related distracted walking. This year, the City of Honolulu, Hawaii passed a local ordinance which states that "No pedestrian shall

cross a street or highway while viewing a mobile electronic device.” Revised Ordinances of Honolulu, Section 15-24-23. That ordinance will go into effect in October 2017. Last year, New Jersey assemblywoman Pamela Lampitt proposed legislation precluding pedestrians from walking while texting, or using any form of electronic communication device on public roads unless they are in hands-free mode.

Here in California, as elsewhere, there is an important need for such legislation. While traffic safety can often be a local concern that might be addressed on a street-by-street basis, the Legislature has generally indicated that issues of traffic safety should be regulated statewide. The California Vehicle Code currently recognizes that each pedestrian has a “duty of using due care for his or her safety” while crossing roadways. Veh. Code Section 21950(b). But, as the statistics show, the safety of pedestrians continues to be compromised by use of mobile electronic devices while crossing the street. Accordingly, the County of San Mateo should urge the state legislature to take action to promote traffic safety by prohibiting use of cell phones while crossing streets or, alternatively, giving express authority to local jurisdictions to regulate the issue.

The resolution has been reviewed and approved by County Counsel.

This resolution contributes to the Shared Vision 2025 outcome of a Healthy and Safe Community by sponsoring an initiative which will ensure the safety of our neighborhoods.

FISCAL IMPACT:

There is no fiscal impact to this resolution.