



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

July 15, 2010

S. 1938 **Distracted Driving Prevention Act of 2010**

*As ordered reported by the Senate Committee on Commerce, Science,
and Transportation on June 9, 2010*

SUMMARY

S. 1938 would authorize the National Highway Transportation Safety Administration (NHTSA) to use previously appropriated contract authority (the authority to incur obligations in advance of appropriations and a mandatory form of budget authority) for activities related to preventing distracted driving (such as using a cell phone while driving) in fiscal year 2011. CBO estimates that enacting the legislation would have no significant impact on the federal budget.

Enacting S. 1938 would not affect direct spending or revenues; therefore, pay-as-you-go procedures would not apply.

S. 1938 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). Any costs to state, local, or tribal governments would result from complying with conditions of assistance.

The bill would impose private-sector mandates as defined in UMRA on commercial drivers and on the manufacturers and owners of motor vehicles. Because the cost of the requirements on commercial drivers would depend upon future regulations, CBO cannot estimate whether the aggregate cost of the mandates would exceed the annual threshold established in UMRA for the private sector (\$141 million in 2010, adjusted annually for inflation).

ESTIMATED COST TO THE FEDERAL GOVERNMENT

S. 1938 would authorize NHTSA to use \$7.5 million of previously appropriated contract authority during the first quarter of fiscal year 2011 for activities related to preventing distracted driving. Those activities include providing grants to states and conducting educational outreach and research.

CBO assumes that use of the contract authority would continue to be controlled by obligations on limitations contained in appropriation acts. CBO expects that the rate of expenditures for activities to prevent distracted driving would be similar to spending that would otherwise occur; therefore, enacting the bill would have no significant impact on the federal budget.

ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS

S. 1938 contains no intergovernmental mandates as defined in UMRA. Any costs to state, local, or tribal governments would result from complying with conditions of assistance.

ESTIMATED IMPACT ON THE PRIVATE SECTOR

The bill would impose private-sector mandates as defined in UMRA on commercial drivers and on the manufacturers and owners of motor vehicles. Because the cost of the requirements on commercial drivers would depend upon future rules and regulation, CBO cannot estimate whether the aggregate cost of the mandates on private-sector entities would exceed the annual threshold established in UMRA for such mandates (\$141 million in 2010, adjusted annually for inflation).

Commercial Motor Vehicles and School Buses

The bill would prohibit drivers of commercial vehicles and school buses from using electronic or wireless devices in circumstances where such use interferes with their safe operation of the vehicles. The cost of the mandate would be any income forgone by those commercial drivers, typically truck drivers, whose income depends on the distance driven. That cost would depend on the specific regulations the Federal Motor Carrier Safety Administration (FMCSA) imposes. According to FMCSA, there are seven million commercial drivers, and the average full-time driver of a truck makes slightly less than \$20 an hour.

Prohibition on Electronic Visual Entertainment in Driver's View

S. 1938 would direct the Department of Transportation to establish a new standard that would prohibit electronic screens from displaying broadcast television, movies, video games, and other visual entertainment that is visible to the driver while driving. According to information from industry sources, no vehicle manufacturers offer or plan to offer in the future devices providing entertainment in the driver's view while driving. Thus, CBO estimates that the cost of the mandate would be minimal if any.

Similarly, vehicle owners would be prohibited from adding after-market devices providing such entertainment in the driver's view. The cost of the mandate would be minimal.

ESTIMATE PREPARED BY:

Federal Costs: Sarah Puro

Impact on State, Local, and Tribal Governments: Ryan Miller

Impact on the Private Sector: Samuel Wice

ESTIMATE APPROVED BY:

Peter H. Fontaine

Assistant Director for Budget Analysis