

ROAD SAFETY COMMITTEE

Inquiry into driver distraction

Melbourne — 30 January 2006

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Witnesses

Mr R. Markey, manager, communications, Australian Mobile Telecommunications Association;

Mr K. Parkinson, managing director, KPPR, and member, AMTA Health and Safety Committee;

Dr K. Joyner, director, global EME strategy and regulatory affairs, Motorola Australia Pty Ltd, and deputy chair, AMTA Health and Safety Committee; and

Mr J. Demezieres, product manager, Motorola Australia Pty Ltd.

The CHAIR — I welcome from the Australian Mobile Telecommunications Association (AMTA) Randal Markey, Kelly Parkinson, Dr Ken Joyner and John Demeziers. I understand that most of you have come down from Canberra today?

Mr MARKEY — Just me, Chair.

The CHAIR — Thank you, Randal, for making the time to come all the way from Canberra for our inquiry. As you are aware, the Road Safety Committee is inquiring into driver distraction. We are operating today under parliamentary privilege. What you say today cannot be used legally against you into the future, and also Hansard will provide a copy of the transcript to AMTA in the near future and it will also be available on the web. Thank you for your time, we value your input and I hand over to you to start the submission.

Mr MARKEY — Thank you very much, Chair, and members of the committee for this opportunity. Just briefly at the very start, if you think it is appropriate, I could outline to everybody who our members are and what we do. Is that helpful to everybody?

The CHAIR — That is a good way to start.

Mr MARKEY — The Australian Mobile Telecommunications Association is the peak industry body for the mobile phone industry in Australia. Our members represent carriers, handset manufacturers, retail outlets, network equipment suppliers and specialised consultancy services. Those are the activities and services of our members.

A brief run-down on our industry: our industry has an annual turnover of about \$11 billion a year and employs about 34 000 Australians. About 30 per cent of the telecommunications sector in this country is employed in mobile telecommunications. We have an industry gross product of about \$6.1 billion a year which makes the mobile phone industry in Australia larger than the free-to-air television industry and also bigger than publishing, newsprint and newspapers. Our members comprise companies such as Telstra, Optus, Vodafone, Nokia, Motorola, Alcatel, NEC, Panasonic, Sony, Samsung and Ericsson. Our charter is to promote an environmentally, socially and economically responsible and successful mobile phone industry in Australia. I think from that charter it is probably apparent that our focus is much wider than just the economic bottom line; as we all know obviously that is very important to our industry, but the role of AMTA on behalf of its members is to have a look at wider consumer-type issues and issues that affect the users of mobile phones. For instance, just very briefly, you may have heard of our recycling program; we have just relaunched it. It has been going since 1999, where we have managed to collect nearly 2 million handsets, batteries and accessories. We have relaunched it because we believe we are an environmentally responsible industry. It is at no cost to the consumer. It is completely paid for by the industry. Industry pays a levy on the handset sales, we collect the phones and they are all recycled for reuse in other products. That is an example of some of the things we do.

We have recently gone into the field of social research. Obviously with something like 19 million Australians with phones — or subscribers perhaps more accurately; that is how many there are, 19 million — obviously there is a lot of data and detail about the economic impacts, but there needs to be more about the social side and the impact on Australian families and institutions. We have just won a funding grant from the Australian Research Council to undertake with leading sociologists in Australia, research about the work and family balance with mobile phones and the impact that it has. We are quite excited about that. It is a three-year project.

Also, the other area that is very important to us is our consumer tips. We have a whole range of consumer tips we have introduced and they give step-by-step guidelines to help consumers gain access to all the benefits that mobiles can confer in a safe, secure, affordable and responsible manner. Some of these things — you can find them on our web site — are tips on how people go about buying their mobile phone, how they go about managing their spending, responsible use of camera phones, what people can do if they are bullied, particularly young people if they are bullied at school or in the school grounds after school with mobile phones, lost and stolen mobile phones and the like.

Finally, and perhaps most importantly to the hearing today, we come to our tips on safe driving, ‘Safety is your most important call’, which is attached to our submission. AMTA’s 10 safe driving tips have been developed following careful analysis and research, and feedback from safety guidelines around the world. It has also been reviewed by road traffic authorities here in Australia. We have taken considerable steps to improve driver education, particularly for learner drivers. Over the past two years AMTA has met with commonwealth and all

state police, transport ministers, road traffic authorities and motoring organisations to talk about the issue of driver distractions and particularly mobile phones.

We have had very positive feedback on our safe driving tips. Most of the states in fact are actually considering including the tips, or have agreed or are still looking at including it in their official driver education materials. We joined in Christmas 2004 with the then Deputy Prime Minister, John Anderson, and also the former New South Wales police minister, John Watkins, when we had a safety campaign over the driving season of Christmas–New Year. We had a lot of meetings and we did a launch with them.

Last Christmas, just gone, we also joined with the federal transport minister, Warren Truss, and the Australian Automobile Association to issue a joint media release which I have here and which you might be interested to look at it. Once again it was a campaign telling people about the importance of using their mobile phone safely and responsibly.

Finally, we have also been doing quite a lot of work with fleet manager owners. We recently had Ford Australia include in their bulletins to their fleet owners around Australia our 10 safety tips. From that we have had quite a lot of calls, for instance, from the Australian Bureau of Statistics in Canberra which is going to utilise the tips, too, and put them out to all their drivers. I think probably what we are doing suggests to you that we have not come to this of late; we have put quite a lot of time, resources and effort into it and we think it is a very important subject.

Thank you once again for the opportunity. I would like now to introduce to you Kelly Parkinson who is a member of AMTA's health and safety committee. He is also the managing director of a Melbourne firm called KPPR and he is going to take us through and highlight some of the key points in our submission.

Overheads shown.

Mr PARKINSON — Addressing the terms of reference of the inquiry — obviously you are going to interrupt, I have seen the other transcripts, so feel free to do so, because no doubt a lot of the issues that we raise going through the slides will be open for discussion — the first one is the prevalence of mobile phone use. I noticed in the other transcripts that a number of times the Melbourne Taylor study was mentioned. However, there are a vast array of studies that look at the prevalence, particularly in the United States of America where they pretty much track them on a yearly basis now for the level of use, originally stated at around 3 per cent and remembering at the time in 2001 there were absolutely no bans for mobile phone hand-held use in America. It is at around 3 per cent, which is similar to Australia which is around 2 per cent with a consistent reading of 2 per cent which you can see from the 2003 Melbourne study and the more recent Perth study which also did some observational work.

Around 2004 New York and some three or four states introduced, similarly to Australia, a hand-held ban, and that did at the time drop much lower because of the publicity surrounding the implementation and it is something I will talk about later in the issue of enforcement because it is a critical point there, but slowly in the United States of America it is creeping up to 5 and 6 per cent. So what this is really showing you is that in Australia while it is certainly occurring — and these are observational studies where they are sitting at traffic lights with trained observers — what we are saying is that at any one time 2 per cent of people are breaking the law in Australia using a hand-held mobile phone. It tends to be different to the sorts of surveys you see where people say, 'Have you used a mobile phone every during driving?' when you get about 30 or 40 per cent or other figures because people are not talking about over a particular time period, whereas what these are actually showing are at any one time this is the level of compliance with the law that you are seeing.

Of course in the United States of America it is not about compliance; it is simply a matter of whether they choose or choose not to do it because in most states there is not a law and that is why you are getting growing figures of 5 and 6 per cent although there are as many mobile phones in the community as there are here. Australia, despite what people think, is not particularly high compared to other countries in the world in terms of mobile phone ownership. It is one of the high ones, but it is certainly not the highest.

The CHAIR — Although it must be said, I suppose, that 2 per cent is still relatively high and if you travel the Geelong road, like Terry and I do each day, where there are thousands upon thousands of cars, 2 per cent still makes it is pretty high use of hand-held phones.

Mr PARKINSON — Certainly there are still a number of drivers not adhering to the current laws in Australia.

The CHAIR — I am just saying that I think 2 per cent is still a relatively high figure, that is all.

Mr PARKINSON — We have our own surveys and I know that many of the organisations that are represented have done similar surveys and they need to be looked at, but this is probably one you would not have seen because it is not a published survey. It is from one of our members who are regularly surveying their customers, particularly mobile phone owners in this case and looking at their usage and how they handle their phone in a car. Half of them had hands-free kits in their car and about a third used a phone at least once a week, had done so in the last week; half had received calls so more were receiving calls, probably because people do not know where they are; 4 per cent choose not to turn on their phone or use it in the car, so that is the sort of level you are looking at in terms of people taking that action themselves; and surprisingly 63 per cent of people had made their own choice to stop a car when they made a call, so they were self-regulating themselves in that respect. Although they were able to use a hands-free device they were choosing to stop the car.

Mr BISHOP — Is there any way we can track that? Has that changed at all?

Mr PARKINSON — I think Telstra is doing that survey regularly so we can have a look at where the other figures are.

Mr BISHOP — Whether in fact education and information makes a difference to those figures?

Mr PARKINSON — Yes. Some of the things we will talk about in enforcement will show the effect of education, particularly the effect; there were a lot of studies done around the time of New York and what actually happened in relation to the education and what effect it had, so we can talk about those later. Unfortunately it also found that about 4 per cent of people simply did not know — I find this surprising — that it was illegal to use a hand-held phone. I am sure, and you have seen this in other presentations, that a large number of young people between the ages of 17 and 29 report that they read text messages. If you look at our tips it is something that we particularly preclude. Of course it is against the law, but we also go to the trouble of pointing out that you should never take notes, read SMSs or send SMSs. Even a fairly large percentage of people admit to having sent a text message while driving so there are some issues around that. In terms of the impact on crash causes, there are a large number of studies that you are probably aware of, but the ones that have been substantiated and probably have some validity are — —

Of course the first one that started much of this debate off and got most people interested in this issue was the Canadian study of about 700 drivers which in fact found a fourfold increased risk of having an accident if the phone had been used within 5 minutes of the crash. Of course there are issues around time of accidents and people using their phone afterwards and I think even in this study there was 5 minutes either side. We are not disputing, and it is really irrelevant for us to have a debate about what extent the risk is; it is just that there is one there and what should we do about it rather than getting into the finetuning of whether it is 4, 5 or 6 per cent. You tend to see studies around 4 per cent and in this case in Australia there was a study that we were all actually involved in, and all members provided phone records and assisted in the study. It was really a replication of the Canadian study because it had been the best known study, and in Australia in 2005, published in the *British Medical Journal*, we confirmed that result. It also showed the same figures for 5 minutes so you can compare those figures directly. There was very similar risk ratios for 5 minutes; they just publicised the 10. So within 10 minutes before the crash they had a fourfold risk of crashing as well. Interestingly that study also did some observational work and confirmed that 2 per cent figure — it confirmed a number of factors. So you looking at that sort of level of risk and that level of people not adhering to the law.

Mr MULDER — Can I just ask a question about that figure of 10 minutes before a crash being associated with a fourfold increase? Is that likely to fall into a certain bracket of drivers like younger drivers, who are more associated with —

Mr PARKINSON — There was nothing that showed that, and there is no good science that shows young drivers are at any more risk. You can go through the whole database; there simply is not any. Whether the studies are just not sensitive enough to pick that up — they do all those tests because they cross-reference with all the ages and so forth, but neither of those studies was able to show that. You would probably find young drivers are fairly proficient with mobile phones, having grown up with them.

Mr MULDER — Older drivers are most likely not to be using a telephone anyway.

Mr PARKINSON — You also have some bias in terms of usage. One issue that keeps being raised is: is there any data on this? There is not any data in Australia. There is data in the US, and they have been collecting this data for quite a while. These are some figures published in the US. I think I have referenced some older versions. Since our submission we were able to update these figures. About 20 states have been collecting data, but I picked the states that had large numbers of crashes — so we had a very large database to work from in terms of 50 000, 250 000 and 600 000 crashes — and where they have been collecting data on crashes, which ones involved a mobile phone. When you come to actual crash statistics rather than simulations or the like, the figures for mobile phone involvement are very low, less than half of 1 per cent. The worst was Texas, based on about 300 000 crashes; about 1000 of those involved a mobile phone, only 0.31 per cent. Actual data collected by state authorities in the US does not show high levels. I have gone to the trouble of looking at the forms, and there appeared to be no issue with the collection of the data; it was comprehensive about the crash statistics and so forth.

As a general point — and this goes to fatalities where you put mobile phones in the risk of things — if they were having a major effect on fatalities, whereas most of the issues we have been talking about so far are crashes, you would expect to see something change with the road toll, especially with the exponential growth of mobiles. The growth of mobiles in Australia, as in many countries, has been exponential, very high, now approaching 19 million, as Randal pointed out, and yet the main factors are probably things that this committee has been involved in, such as the introduction of seatbelts — you can see the blip there in the 1970s for that. The introduction of random breath testing had a major impact, and you can see that the number of mobile phones grew with very little impact. Then you see the introduction of the 50-kilometre speed limit which reduces things. So in terms of fatalities there is not a lot of evidence that mobile phones have any effect. Later we will talk about some of those issues.

There is a vast number of studies. I tried to pick those with large numbers involved, and Norway and the Scandinavian countries are important because they have far higher levels of mobile phone ownership than we have — in the order of 110 per cent. There are reasons for that, but that is where they are, way ahead of us, even around the time of this study. This is a survey of 9000 drivers after they have had an accident. A small percentage were using a phone at the actual time of the accident — that is, less than 1 per cent, which fits with the prevalence figures that we are seeing ourselves. Mobile phones are used in about 1 per cent of all crashes. An important point is that a number of pieces of research show that rear-end collisions tend to be — —

People are being distracted; they do not see the car slow down in front of them in heavy traffic and they run into the back of it. Interestingly in this study both radios and CD players caused more accidents, and there is a lot of data that goes on to cover that. As you know, there was some Australian research done by the NRMA through the Monash University Accident Research Centre, which organisation has presented here, that showed that dealing with a car stereo was a far more pronounced problem than dealing with a hands-free mobile phone. I have cut a lot of them out, but they are in our submission, many starting back in the early 1990s, that cover the issue of fiddling with a radio, reading a map and other distraction factors being far more significant than mobile phones. Probably the most well-known one is the Stutts study of 2001 which looked at 32 000 accidents, and mobile phones accounted for about 1.5 per cent of the involvement in accidents, remembering that in 2000 mobile phone ownership in the US was quite high, because they have had phones for quite a bit longer than we have.

These studies show that things like eating, dealing with vehicle controls and most of the causes of distraction are something outside the car, usually looking at something or somebody. A study from the University of Virginia in the US looked at 2700 crash scenes involving distraction and 4500 drivers. Obviously looking at crashes, roadside incidents were very high at 16 per cent; looking at scenery, 10 per cent, which confirms those other figures that it is often something outside the vehicle; passengers and children distracting drivers, about 9 per cent; CD players again higher than mobile phones; and mobile phones, 5 per cent, remembering that in this case in the US they were studying a state — I am fairly sure in this case — that did not have hand-held phones then, but 62 per cent of the distractions came from inside the car in this case.

The AAA study, the 2001 study which was on the chart previously, did follow-up research which is well-known using a video camera which they installed inside a car for a number of weeks but then only used a week of the data. People did not know what week they were using, so they were not able to adapt their behaviour, and, of course after a while they got fairly used to having the camera there and forgot about it in any case. They simply filmed every time the person was in the car. When the car was turned on they filmed the whole inside of it and were then able to sit down with researchers and look at the videotapes of about 70 drivers and their behaviours in the car.

Within the week they assessed when they were actually distracted and not able to deal with an incident without taking their concentration away from the road. One hundred per cent of the time they were either playing with their windows or airconditioning and were considered by the researchers to be distracted; reaching for objects inside the vehicle, almost 100 per cent; the same with changing audio controls — again, almost all were distracted by that. Those distracted by something outside the vehicle — again, very high at 85 per cent; eating and drinking, 71 per cent; conversing with a passenger, 77 per cent; reading, writing — which was surprising — personal grooming, almost half of drivers get confused with that; and 30 per cent of them used a mobile phone in the week. What it tells you with those prevalence figures is while no-one is doing it all the time, it is widespread; about a third of drivers are doing it, which fits with the Telstra figures as well, but maybe not for long periods of time, which is why you get the lower prevalence figures.

Interestingly I noticed that Monash University's transcript referred to this same study saying that 30 per cent of crashes were caused by use of mobile phones. It was made very clear in this study that all it showed was that 30 per cent of people used a mobile phone in the car; there was no accident recorded in that period — certainly not in these figures. Obviously people were also distracted by another adult in the vehicle. Just to clarify regarding mobile phones, 28 of the 70 drivers videotaped during that week used a mobile phone, which gives that figure. When the researchers announced that study to the media the chief researcher, Jane Stutts, said that cell phones did not show up as a major distraction in either crash analysis or in the study. That was their view.

In terms of the suitability of the current laws all those papers show mobile phones are just one of many everyday driver distractions and our view is that all distractions should be considered and our laws should be consistent with that science. We certainly support the current laws, and we are not asking for those to be changed in any way, despite that research. That is one step people have to take. If you look at our tips it is the first and most important point, but then there are many other things that we believe people also need to do.

We are conscious that for that reason hands-free phones alone are not enough, and people need to do much more. They need to take account of weather and their emotions. Lots of the research shows the real issue is the cognitive effects not the physical distraction of the mobile phone. People need to be made aware of that. I think the vast majority of the public would not be aware of that. Some of our tips cover things like simply telling a person that they are on the phone while driving and if the phone conversation becomes too complex they should end it. Obviously legislation can deal with those physical things, but it cannot deal with cognitive distractions, so that is where education has a key role. Drivers need to be educated about those factors because it is something that only education can deal with.

In terms of the current laws, a lot of research has kept showing that mobile phones do not appear to be affected either way by hands-free or hand-held. I am not certain if that is true. What it may well be telling us is that — and most of this comes from driver simulation studies where they were looking at other things and they were unable to find a correlation between hand-held and hands-free — simply that they may not be sensitive enough to pick up the differences. No-one is doing studies that simply look particularly at the effectiveness of hands-free phones. A recent study from the National Highway and Traffic Safety Authority in the US did some driver simulation tests that specifically looked at whether hands-free were working or not working, and what they found was that drivers tended to take more time to interact with a hands-free device than when picking the phone up and dialling it. They were able to do that faster. But the drivers in post-test surveys considered hands-free phones were easier to use. They really did not come up with a clear conclusion about the effectiveness either way.

However, there have been some studies actually using a headset; they had a headset with an earpiece and a mouthpiece, something that would not physically get in the way and did not need to be adjusted, something that worked effectively. Using that sort of device most of them found they steered more accurately, and 100 per cent of them had better brake-reaction times and maintained more consistent speed. One of the things you see often in driver simulation studies, which has also been seen as a negative, is that when people are being distracted they tend to slow down. It is actually adaptive behaviour. Experienced drivers know they are being distracted and tend to slow down, which is probably a good thing. It is often recorded as a negative effect in driver simulation studies, but it is probably a positive effect and is something that young drivers tend not to do when being distracted.

To cover that, the most recent research done in Australia, the one published in the *British Medical Journal* which we referred to earlier that confirmed the fourfold risk increase, came to the conclusion that while only 4 per cent of people had voice-activated units, the sample size was not big enough to assess whether hands-free or hand-held or which devices worked better, and maybe it is an area that needs to be looked at. If a car was using a well set-up,

inbuilt Bluetooth, hands-free device which was voice activated, would it actually provide a safety benefit? It is something that we do not know. Intuitively we know that having a well set-up system in your car compared with using a portable one you are trying to plug in as you are driving appears to have a different effect regarding safety. Most people are not aware of the level that these kits have reached, and John is going to demonstrate how they work and the level of sophistication voice activation is at.

Mr MULDER — Has there been any study done in relation to distraction and the content of the conversation that is being held?

Mr PARKINSON — Yes, there have been studies. The emotional content and complexity of the conversation is important, which is why it is covered in our 10 points. It is okay to ring home and say you are going to be 5 minutes late — —

The CHAIR — That can be complex sometimes.

Mr PARKINSON — True — or ring a business meeting to say you are going to be late or to find out an address, but having a fight with your partner on the phone is probably not a good idea, because it is very clear it is the cognitive distraction not necessarily the physical which is important.

Mr DEMEZIERES — I have brought in three in-vehicle devices to show, the first one being an 'easy install'. We call the model the HF820, being one of the most portable of all the Bluetooth car-kit devices available. No installation is required, a 1 watt speaker drives it and it comes with a clip to attach to the visor of the vehicle so it can be used as a car kit. Alternatively, you can place it on the desk and it becomes a conference call phone.

That is a phone call I have just made as we speak. You control the call from the handset that is in the vehicle and clip it to the visor again. Another advantage of the unit is that the handset can support voice dialling — for example, if Ken Joyner's name were stored in the handset, I could just announce the name and the call would come through the HF820 like a normal, everyday phone call.

The other two kits that we are going to be demonstrating — what you will physically see is only the interface panel that would be displayed on the dash of the car. There are two here available, the HF850 and the IHF1000, which is the one I am going to demonstrate and then I will highlight what the key differentiators are between the two. The IHF1000 is considered our premium kit. The biggest difference is it is voice operated. It supports digit and name dialling, announces incoming caller ID, any SMSs and low battery. It has an inbuilt system help, so you do not need to refer to manuals whilst driving or on the go, and a high-audio 5 watt speaker. Again, I would like to spend a couple of minutes demonstrating the features.

If this were my mobile phone, currently it is connected to the car kit. It would be a one-button operation. It will dial the number that is stored directly in the phone's memory. I will try it one more time! Alternatively I can read out the digits. I would say the number, '1194', and it will repeat the number and dial it. The kit also supports up to 20 names that I have stored in it. For example, if Ken were to call me, because his name is stored in the kit itself it will — —

Don't you love it when demonstrations work very well! When we are demonstrating IHF1000 the key differentiator between the last two is purely and simply the name and digit dialling and voice activation that is inbuilt with the kit. Then I have the option to answer the call if I need to.

Mr PARKINSON — The point we are trying to make is that most people do not understand that these Bluetooth kits — we had a meeting with the Queensland minister for transport who was complaining about having to change his car kit every time he got a new phone and how difficult that was. Once you have a Bluetooth phone you can get into any car and these kits will operate. They operate completely on voice activation, so you are able to dial the number by just saying the number. The digit dialling did not work on this occasion, but they do work when they are properly installed in your car. Having a portable kit is not always the best set-up. It minimises people physically being involved with the phone. They do not need to touch the phone. At the most they have to touch one button. Even most phones these days have at least voice-activated dialling so you can preset the phone for calling home or whatever by touching one button. This is completely hands-free. There is no need to dial or be engaged in any physical activity whatsoever. Probably what needs to be looked at is the extent to which these make that interaction safer.

The CHAIR — How prevalent is the Bluetooth technology in cars at the moment — like that type of technology?

Dr JOYNER — In cars it would be about 10 to 15 per cent. All new imported cars come fully Bluetooth optioned. For most Australian-made cars you would probably have to buy a Bluetooth kit and have it installed.

Mr PARKINSON — When you buy a new car it is now offered as an option. I think you said, Bruce, it was \$150 now to have it installed when you are buying a new car. So they are relatively inexpensive. If every car had one of those, any phone that got into a car would be able to have voice-activated dialling whereas in the past you did have to have various kits and so forth. The main reason for that was that the manufacturers were not thinking of car kits for a big market. Australia was probably their only big market, because we were the first in 1988 to have hand-held bans. Throughout most of the world that was not occurring. It is only recently that mobile phone manufacturers are making phones for people to use — —

Dr JOYNER — The other issue is that the car manufacturers did not want to be changing a lot of the options for cradles for phones, so the Bluetooth option solved it all.

Mr PARKINSON — Obviously they are integrated into the steering wheel, and that is able to be done now with Bluetooth. It does not matter what sort of phone you have, you will be able to use it.

One of the issues in a lot of the simulated studies is that they tend to focus on the cognitive load because they tend to test the phones when they are already set up in the simulator. They are not looking at the whole issue of where you are using your phones and what the issues are with setting it up while driving along or whatever. That is why you get studies showing that hand-held phones make no difference and everyone is calling for bans when they may not have really been looking at that. That is something with the science that you have to be careful with. We really need to look at whether a well set up Bluetooth system that is using voice-activated dialling would actually make a difference in line with the laws in Victoria.

Mr BISHOP — Before you get off that — when you go to set up a system like that will you be using the mobile phone you have?

Mr PARKINSON — Yes. When you get into the car you leave it in your pocket and the system recognises that the car is now within the range and immediately turns it over into in-car use. So your phone no longer rings in your pocket but rings through that system. So there is no action.

Dr JOYNER — Although your phone has to have Bluetooth functionality on it; it is not just for any phone.

Mr PARKINSON — Increasingly phones have it. If you went and bought a phone now it would have Bluetooth.

Mr BISHOP — So you would put the phone in with the capacity to operate in the glove box — —

Mr PARKINSON — Yes.

Mr BISHOP — And it would operate through there?

Mr PARKINSON — Correct. As soon as you get near the car it switches over to Bluetooth in-car operation, and it stops ringing on the handset.

Mr DEMEZIERES — If you had the radio going, it would mute that to take the call.

Mr PARKINSON — Enforcement — New York is a good example because there was a large number — not a large number; at least someone went to the trouble of studying the before and after effects for New York. In 2003 when they introduced the restriction on hand-held there was a large amount of publicity surrounding it, and it declined from around 2 per cent, which was a similar figure to Australia, to about 1 per cent in the first few months after the introduction of the law. So it had a significant effect when people started to use it, even though the figures were not high in any case, but, as you say, there were concerning, whereas in the adjoining state, Connecticut, it stayed around the US average of 3 per cent both before and after in both studies.

A year later in New York it was back to 2 per cent, and what the researchers concluded was that both enforcement, which we see in Australia, and, more importantly, publicity and the education of the drivers were what drove the change. So without that ongoing publicity and the education of the drivers the law did not have an effect.

There are a lot of reviews on the science of mobile phones and driving. I will use one of them here because they all come to similar conclusions and they are all listed in our submission. The Harvard Centre for Risk Analysis looked at the whole issue and said there are risks — which we have acknowledged about the fourfold — but they also found that compared to other risks that are routinely faced by drivers in their day-to-day activities they are small and their benefits are substantial in terms of public health and safety. That was its advice to the US, which is probably why not too many states have any sort of restriction, and when they do they tend to have restrictions for learner drivers, probationary drivers and odd ones like bus drivers who are driving schoolchildren around — still, you could count them on one hand. It said it would be premature to enact or complete any further restriction at that stage and they suggested that rigorous educational programs and existing unitary driver laws should be enforced. Add to that one other, which is better data collection, which many of the states have done, and you get the same conclusions for the vast majority of the reviews done on this issue.

I think we have also covered that they were raising the issue of intelligent driver transport systems, which I am sure you have spoken about today with the other presenters. There may be other solutions, and in fact I think we mentioned in our submission that Volvo have cars in Australia that look at the amount of traffic, the interaction of the driver and turn the phone off at appropriate times. So there are some technological solutions that may deal with that very educational solution that we are talking about, which is why people need to take other factors into consideration, such as emotional conversations, complex conversations, bad weather and whether or not they are driving in heavy traffic. For example, if you are driving along a dual lane on the Hume Highway somewhere between Gundagai and somewhere else, you may be able to make a safe hands-free call in those circumstances — with very little traffic around while having a simple conversation — but it may be very different if you are in the city in the pouring rain driving down Collins Street. That is something that drivers need to be educated about.

Another thing, the risk trade-off which was raised by Harvard, needs to be seriously considered. In 1998 we commissioned a study that looked at the use of mobile phones in emergency situations. It was not specifically about cars, but it did raise the issue that about one in four people, about a quarter of the population, had used their mobile phone to report a dangerous situation. This was reported by Professor Simon Chapman, who you would know from antismoking work. He is a very well respected health researcher.

One in eight had reported a road accident involving others. Two out of three had used their mobile phones to call ahead to say they were running late and consequently slowed down. It is an important point that mobile phone owners — and even the police have called on them to do so — have been the extra eyes and ears for police to report aggressive drunks and accidents. Government figures — they are not our figures — show that about a third of calls to 000 are made from mobile phones. So that risk trade-off has to be taken into consideration. Often we worry about a minor risk and lose a large benefit.

Our recommendation, which is in our submission, is that technology can address the physical issues of dealing with a phone in a car, which we have shown with voice-activated Bluetooth dialling systems and probably some of the visual factors and that education is probably the only thing that will address the cognitive issues. You cannot legislate for when a person is having an emotional conversation or when someone is in a bad driving environment, such as in bad weather or in a complex traffic environment.

The best thing we can do is to help educate customers, as we have tried to do by meeting with all the state governments and asking them to put our tips into driver education programs. Many of them have said they would and are in the process, and it will just take some time for those to come into play. We need to be careful that we do not lose the proven safety benefits of mobile phones. We would welcome your support. We are quite happy to go through our tips and every one of the points to cover off the sorts of issues that need to be covered off, as we have done with the other driver authorities throughout Australia. You could assist in having those materials introduced into the driver education programs in Victoria.

The CHAIR — Can I just ask one question with regard to younger drivers? Currently we are looking at changing the laws as they relate to P-plate drivers. One of the proposals is that — I think this is correct — P-plate drivers should not be able to use any type of mobile phone while driving.

Mr PARKINSON — In their first year.

The CHAIR — In their first year — any comments on that?

Mr PARKINSON — I think I have a list of them here with me — some of the US states do have that law. They tend to be for learner drivers particularly when they are with another driver, but some of them have it for — I think they have a different term for them — probationary drivers. I do not think we would oppose that. The only issue is that at some stage people have to learn to deal with distractions. Beyond the first year it would not be appropriate because at some stage mobile phones are one of the lower level distractions they have to deal with. They have to deal with using their radio, which is high risk, and deal with other people, such as children, in the car. They do have to learn how to deal with distractions at some stage.

The CHAIR — But you would support the first-year ban?

Mr PARKINSON — I think in our submission we say that. We did put a submission in, but I cannot recall the exact words that are used, but generally we did not oppose it.

Dr JOYNER — I have to point out that enforcement is going to be extremely difficult for a hands-free operation. Someone driving down the road could be talking to themselves — it would be very difficult to enforce.

Mr BISHOP — Do you know of any detection devices that would tell us that? We have heard that in other parts of the world there may be detection devices to tell us that.

Dr JOYNER — There are so many sources of mobile calls around that I would say it would be technically impossible to do that in any sort of moving, real world situation.

The CHAIR — Just because it is difficult to enforce does not mean you do not go down that track.

Dr JOYNER — No, I am just pointing out that enforcement would be extremely difficult.

The CHAIR — Victoria Police met with us late last year, and that is exactly the point they made to us.

Mr PARKINSON — If it provides some educative function in making people aware of distractions in total, I think that would be good — because they have to deal with all distractions. If dealing with passengers — and young people have a lot of passengers at times — is more of a distraction than mobiles, they should be educated about all those issues. They should be educated about the whole issue of eating in a car and dealing with their sound systems. They need to be aware of all those issues, mobile phones included. If it helps in doing that, then yes.

Mr MULDER — This question is probably indirectly related to this matter. Do you also represent the retailers who sell your mobile phone packages?

Mr MARKEY — Yes, some of them. Certainly our members — Telstra, Optus, Vodafone and Hutchison 3 — have stores, so yes, but not all the retail network.

Mr MULDER — So do you deal with complaints from consumers? I am talking particularly in relation to packages that are sold that involve trailer commissions that tie up a lot of people, particularly younger people, in contracts that are not suitable, and they find themselves in all sorts of trouble buying themselves out.

Mr MARKEY — Yes, we do. We sometimes have inquiries from a wide range of people about affordability issues. On behalf of our members we endeavour to get to the bottom and help people. One of the things I must say, Mr Mulder, is that certainly with the advent of prepaid — I have only been in this job for a couple of years, but since then prepaids have become very popular — the incidence of complaints, to my thinking, anecdotally has been much less. With pay-as-you-go it is very difficult to get yourself into any debt.

Mr BISHOP — With the technology you have displayed, no doubt that will increase. Do you see that being utilised wider than with phones? You have concentrated on phones. Looking to load the tape deck, which is far more complicated for me to understand many times, and all of those issues — do you see it reaching that level? If so, how soon?

Mr DEMEZIERES — Motorola committed to binding the technology with what we call the fashion lifestyle-type products that we use day to day. In terms of giving specifics and which product would actually conform over to Bluetooth, I cannot give a definitive answer. But as Ken highlighted, car manufacturers are starting to put Bluetooth technology into their vehicles, and that is a beginning.

Mr PARKINSON — The point of Bluetooth is that it is an international standard, so when a manufacturer says they are going to install a Bluetooth kit, we will know that everyone will be able to connect to it. The whole point of Bluetooth is to provide an international wireless standard for the interaction of devices.

Dr JOYNER — It certainly works in office and home environments. You do not have to have wires between your computer and your printer; you can do it all seamlessly via Bluetooth. I would not see any impediment to having it in a vehicle, but it starts to get very complex — it would probably have to be put in at the design stage of the vehicle rather than as an add-on if you are going to involve other interactive devices in the vehicle.

Mr STONEY — Telstra has announced it is going to phase out the CDMA network and bring in a whole new generation of telephones. I imagine that will impact — well, it will certainly have an effect on driver distraction, because they will be really whizzbang. Has your association looked at the impact of the new generation of phones?

Mr PARKINSON — 3G phones?

Mr STONEY — Yes.

Dr JOYNER — As with all technology you can get a budget model or you can get a premium model. Obviously with the premium models you will have the ability to look at television, interactive games and the like, but with the budget models you probably will not have that ability. Whether that will be fully activated across all of Telstra's network in the foreseeable future — —

Mr STONEY — I understand they will be phasing out CDMA in 2008. It will be updated to 3G by then, I would imagine. A lot of your comments and a lot of your research perhaps will not be relevant any longer because it will be a totally new ball game for your mobile phone. I am just wondering whether you have thought about assessing that.

Mr PARKINSON — Voice will still be the main driver of mobile phone use.

Mr STONEY — Voice activated?

Mr PARKINSON — No, just voice — using the phone for conversation, which is still the reason why the vast majority of people own a mobile phone. But there will be other functions on the phones, and they already exist today, such as being able to watch videos. The thing about 3G that most people are not aware of is that they have become effectively GPSs and are able to pinpoint exactly where you are. One of the benefits of that is that they are very useful for emergency services. Just as a land line, they will be able to tell where you are within a metre. So in terms of the safety benefits and so forth — 3G will be able to do that.

Dr JOYNER — That sort of technology is already available in vehicles anyway, with DVD players, GPS displays, head-up displays — a whole range of technology is already being fitted into the vehicles. Perhaps the mobile phone could supplant that, but one of the limiting factors with 3G is the screen size. They are still small, and that is one of the limiting factors.

Mr PARKINSON — You are already having that problem with cars now in terms of reversing cameras, DVD players on the dashboard and doing other functions, such as running the climate control in cars like the Lexus and so forth which have devices like that. I am sure they are issues the committee is already considering.

Mr MARKEY — May I ask one question? I am just wondering about the processes of your committee. Obviously you do reports to the Parliament, do you have a time frame for when that might be?

The CHAIR — We have the inquiry referred to us by the Parliament itself. We have a time frame of June this year to get back to provide our report to the government. Then the government has six months to respond to our recommendations after that. That is essentially the time line that we have.

Mr MARKEY — If any committee members want any clarification or information, perhaps Alex could contact me, if that is easier, and we can furnish that; we would only be too happy to do so.

The CHAIR — And I dare say we will probably do that. If Graeme is doing the report, he will weed through the transcripts and the information that has been provided, and he may well get back to you.

Mr MARKEY — Thanks very much. On behalf of AMTA I would just like to thank the committee for your time today. We have appreciated the opportunity to come down and present our submission.

The CHAIR — Thanks to Kelly, Ken and John, and especially to you, Randal, for making the effort to come down from Canberra today; we do appreciate it.

Committee adjourned.