September 16, 2013

Petition to Maintain Driver Education at Oakland High School and to restore Public Driver Education throughout OUSD

With the passage of AB60, which finally allows undocumented adults and teenagers to apply (effective 1/1/2015) for a California Driver's License, the need for free public Driver Ed and Driver Training is never more necessary in our high schools.

Yet, in a misguided and vindictive administrative dictate, Oakland High's longstanding and successful Driver Ed program is threatened with elimination! This action is being considered even though Education Code Section 51220(j) mandates it as a public not for profit class.

At Oakland High, our 9 week/2.5 credit class functions in collaboration with:

1) California Highway Patrol;
2) Bay Area Beverages;
3) College of Alameda Auto Tech Program;
4) Impact Teen Drivers Sponsored by Cal Casualty; and
5) Highland Hospital and Every 15 Minutes

Nevertheless, this single "A period" class has become a target for a budget cutback even though Oakland voters overwhelmingly passed Proposition 30 and the state is giving OUSD a 5% COLA in 2013-14.

Meanwhile, Oakland High should have funds already available (just $15,000) from its Wellness Center ($225,000 budget) and can include the class as part of our new Public Health Academy (PHA). So why cut Driver Ed and not fund a Lifeguard for our Swimming Pool?

This question can only be answered by the administration of Oakland High, the President of the School Board, and the Interim Superintendent.

Therefore, we the undersigned students, teachers, and classified staff demand the maintenance of Driver Education and the restoration of a Lifeguard at Oakland High School. Please see the attached documents which provide more background info on the legal requirement as well as the career education value of this teenage safety education program.

Cc: Sam Morgan/CHP, Jacque Laxague/Bay Area Beverage, Kelly Browning/Impact Teen Drivers, Richard Greenspan/Auto Tech Program at College of Alameda, Leo Lamanna/Marcus Foster Fund, George Holland/Oakland Branch NAACP, Noel Gallo/Oakland City Council, David Hunter/Alameda County Building Trades, Rita Bailey/SEIU 1021, Morris Tatum/AFSCME 257 Retired, Chuck Mack/Teamsters 70 Retired, Shannon Woods/California Association for Safety Education, Dean Vogel/CTA President, Nellie Wong/OHS Alumna and Building Honoree

Name (Print)	Signature	Phone/Email

Driver Education Frequently Asked Questions

reprinted from the California Department of Education website: www.cde.ca.gov/ci/cr/dr/drvedufaqs.asp

Driver Education

1.. **What are the relevant Education Code sections pertaining to Driver Education and how may I access them?**
The key Education Code sections are 51220(j), 51220.1, and 51850-51854. These sections may be accessed at **www.leginfo.ca.gov/calaw.html**

2. **Is Driver Education required to be offered by school districts?**
Yes. Education Code Section 51220(j) states in part that: "The adopted course of study for grades 7-12, inclusive, shall offer courses in the following areas of study . . . (j) Automobile driver education."

3. **Is Driver Education required for high school graduation?**
While driver education is required to be offered, the local school district governing board may, pursuant to Education Code Section 51225.3, determine if it is a required course for graduation. A driver education elective course may be applied toward meeting minimum graduation credits without requiring driver education for graduation.

4. **May a student be charged for Driver Education classes?**
At no time may a student be charged for driver education that is required to be offered by the school district regardless of when and where it is offered. Also, note that several court cases have held that high school students may not be charged for driver training in adult schools where the course is being used to satisfy Education Code Section 51120(j).

5. **When may Driver Education be scheduled?**
Driver education should be offered as a 10th grade course since this usually matches most students' licensing age. Many districts are offering driver education instruction along with health education, since some course topics, such as alcohol, drugs, and driver fatigue, are discussed in both courses. Understanding this interrelationship is important since the leading health and safety issue among teens is associated with traffic collisions, the number one killer of teens in the state. The *Education Code* has several sections providing guidance.

Education Code Section 51851 states: "A course of instruction in automobile driver education shall . . . (B) Provide the opportunity for students to take driver education within the regular school day . . . Additional classes may be offered . . . to accommodate those who have failed or those who cannot enroll in the regular school day program."

Education Code Section 41912 states in part: "The express purpose of the Legislature is that . . . this instruction properly belongs in the high school curriculum on a basis having comparable standards of instruction, quality, teacher-pupil ratio and class scheduling as in other courses in the regular curriculum in the regular academic program."

6. **May a school district contract out for Driver's Training or Education?**
School districts may not contract out for Driver Education. For Driver's Training, Education Code Section 41913 states that the governing board of any school district maintaining secondary schools according to sections 41913 to 41919, inclusive, may enter into contracts with approved driver training schools to provide to any eligible enrolled students of the district, the automobile driver training as provided pursuant to section 51852. Section 51852 pertains to behind-the-wheel driver education.

7. **What are the required classroom hours for Driver Education?**
A course on instruction in automobile driver education shall be at least two and one-half semester periods and taught by a qualified instructor. A semester period is 30 hours.

8. **May Driver Education be offered in Home Study, Independent Study, or Internet online courses?**
Driver Education may only be provided by a qualified instructor.

Driver Training

1. **How many hours of driver training "behind the wheel" instruction are required?**
Twelve hours of instruction are required. This consists of six hours of actual driving with a qualified instructor and six hours of observation. *Education Code* Section 51852 provides other options for meeting this requirement.

2. **Are computer simulated driver training programs acceptable in place of "behind the wheel" instruction?**
While the Department of Education has the authority to approve driving simulators, a school district is prohibited by law, and the Department cannot legally allow, the use of driving simulators of any kind in place of behind-the-wheel instruction in any driver training plan included in *Education Code* section 51852.

Teacher Qualifications

1. **What is required to obtain a Driver Education credential?**
A public school teacher must have either a certificate to teach driver's education or in lieu of a certificate, a waiver issued by the Commission on Teacher Credentialing (CCTC). The certificate course work is 12 units. Only Fresno County Office of Education with Fresno State University and the University of California at Riverside are currently offering the certificate program in Driver Education. As a consequence, teachers seeking to teach driver education may obtain a waiver on a case-by-case basis from CCTC. For further information, contact CCTC. Out-of-state "long distance" college or university programs for Driver Education certification are not acceptable. It is highly recommended that CCTC be consulted before embarking on a certification program.

Why Driver Ed is Necessary for Career Choices

by Ben Visnick/OHS Driver Educator

It is not well known, but driving a truck is the #1 job in the USA for men. Furthermore, more women are driving trucks in the 21st Century. These trucks include tractor-trailers, delivery vehicles, tow trucks, moving vans, garbage and recycling trucks, fire engines, dump trucks, street sweepers, UPS and Fed Ex vehicles, and more.

Bus drivers work for AC Transit, Muni, Golden Gate, and SamTrans in the Bay Area. They transport students to school in yellow vehicles and senior citizens in para transit vans. Tour bus drivers provide rides across California through our scenic state. Charters deliver our student athletes to their games and our field trip participants to their destinations.

Many good paying jobs require two basics: Sobriety and a CDL. Look at the list below. Without a clean driving and drug/alcohol record, our graduates are unable/have difficulty accessing these careers...

USPS	Sears	Electricians
UPS	Macy's	Plumbers
Fed Ex	Costco	Laborers
A, T & T	Office Depot	Roofers
Comcast	City of Oakland	Painters
EBMUD	County of Alameda	Mechanics
P, G & E	CHP	Masons
Waste Management	OFD	Carpenters
Caltrans	Brinks/Dunbar	HVAC Trades
AC Transit	Yellow Cab	Iron Workers
Safeway	Bayporter Express	Sheet Metal
Lucky	Bay Alarm	Plasterers

McCLYMONDS PROPOSED NEW COURSES
for
FALL 2013-2014

Some serious disparities continue to exist in course offering between McClymonds and other district high schools with similar student enrollments. The disparities need to be addressed to provide educational equity to ensure the future success of McClymonds students. Listed below are courses that are designed to address the disparity at McClymonds High School, and we are requesting the following advance placement courses and additional courses be added in the fall 2013-2014.

Five Advance Placement Course

- **English AP**
- **Algebra AP**
- **Chemistry AP**
- **Spanish AP**
- **Computer AP**

Twelve Additional Courses

- **Choir**
- **Dance**
- **Drama**
- **Physic**
- **Conceptual Physic**
- **Calculus**
- **Statistic**
- **French**
- **Computer**
- **Creative Writing**
- **Ethnic Studies**
- **Exploring Computers**

Many of the above listed courses were promised by Dr. Santos at a parent meeting January 10, 2012. For these improvements to be implemented at McClymonds School in the fall, 2014, the staff and funding need to be provided by Oakland Unified School District.

Save the Dates

RACE MATTERS: Putting Race On the Table

A Free Speaker Series for Teachers, Principals, Students, Parents, Board Members & Community to Engage in Thoughtful Dialogue About Race and Equity in Service of Improving Teaching & Learning

Race & Equity Strand

Checking My Systems for Equity

Enid Lee - Director of Enid Lee Consultants Inc.

Enid Lee began her career as a classroom teacher 35 years ago. Today she is an accomplished "front line teacher," teacher e writer, consultant, facilitator and speaker. She has taught in the Caribbean, Canada and the USA and has been involved in the professional development of teachers for two decades.

She consults internationally on anti-racist, inclusionary and equitable education. Through her consulting firm, Enid assists urban schools districts and individual schools to continuously restructure themselves for equitable outcomes for all students. She has pioneered the equity-centered initiative, Putting Race on the Table, which is designed to help teachers and administrators develop the skills, knowledge and will to create and maintain equity-centered classrooms.

She facilitates an international network of schools enabling educators to share strategies for addressing questions of language, race, culture and class in education and for ensuring that teaching and learning are characterized by academic rigor and readiness for social justice action. Enid Lee is the author of over 30 publications including *Beyond Heroes and Holidays: A Practical Guides to K-12 Anti-Racist, Multicultural Education and Staff Development*. Her current area of research is professional development and anti-racist school leadership. **www.EnidLee.com**

Where: Tilden Auditorium - LCI Department – 3752 Enos Street – Oakland, CA 94619 (inside gate)
When: Thursday, November 7, 2013 from 4 - 6 pm

Equity Strand

Cracking the Codes & A Courageous Conversations About Race with Film Maker Shakti Butler

A Special Screening of: Cracking the Codes: The System of Racial Inequity

THE FILM: From Shakti Butler, the director of ***The Way Home: Women Talk About Race in America*** and ***Mirrors of Privilege: Making Whiteness Visible*** , comes a new film that asks America to talk about the causes and consequences of systemic inequity. ***Cracking the Codes: The System of Racial Inequity*** features moving stories from racial justice leaders including Amer Ahmed, Michael Benitez, Barbie-Danielle DeCarlo, Joy DeGruy, Ericka Huggins, Humaira Jackson, Yuko Kodama, Peggy McIntosh, Rinku Sen, Tilman Smith and Tim Wise.

Where: Tilden Auditorium - Leadership, Curriculum, & Instruction Department – 3752 Enos Street – Oakland, CA 94619
When: Tuesday, November 12, 2013 from 4 - 7 pm

Visit the website for more information, including THE RACIAL EQUITY LEARNING MODULES:
This online racial justice curriculum accompanies the film. It bridges the gap between inspiration and democratic action that supports racial equity. **www.crackingthecodes.org**

Race & Equity, Culture/Climate & SEL, and Alternatives to Punitive Responses to Behavior Strand

Race, Restorative Justice in OUSD Schools: Students & Circle Keeper Voices

This interactive presentation will feature a video presentation, voices of student and adult Restorative Justice Circle Keepers working in Oakland schools, and a mini-experience of the Circle process. The video will feature a real life Circle. Panelists will share stories about their experiences of the challenges and successes of using Circles at their school sites to reduce disproportionality in discipline as well as to create a culture of caring, connectivity, and peace. A part of the two-hour session will be held in Circle to offer participants an experiential sense of the process.

Speakers: Fania Davis, Executive Director, Restorative Justice for Oakland Youth (RJOY), Eric Butler, RJOY School Facilitator, Ralph Bunche High School, & OUSD Students **www.rjoyoakland.org**

Where: Tilden Auditorium - Leadership, Curriculum, & Instruction Department – 3752 Enos Street – Oakland, CA 94619 (enter gate)
When: Thursday, December 5, 2013 from 4 - 6 pm

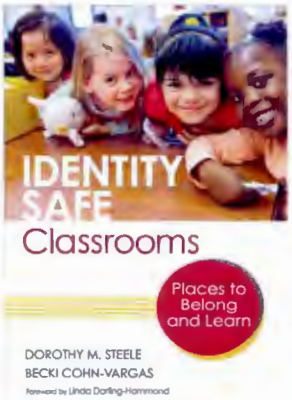
Race & Equity, Culture/Climate & SEL Strand

Identity Safe Classrooms: Places to Belong & Learn

Speakers: Dorothy Steele, Executive Director, Stanford University, Center for Comparative Studies in Race and Ethnicity (Retired), Becki Cohn-Vargas, Director, Not In Our School

www.identitysafeclassrooms.org

Where: Tilden Auditorium - LCI Department – 3752 Enos Street – Oakland, CA 94619 (enter gate)
When: Tuesday, January 14, 2014 from 4 - 6 pm



Race & Equity Strand

Backward Mapping to the Headline: "Oakland's African American student outstanding achievement in mathematics"! What would it take to build schools and communities that make the headline real?

Speaker: Ruth Cossey, Ph.D., Associate Professor and Co-Director of the Mid-Career Mathematics and Science Teachers Credential Program, Mills College, School of Education
http://www.mills.edu/academics/faculty/educ/rcossey/rcossey.php

Where: Tilden Auditorium - LCI Department – 3752 Enos Street – Oakland, CA 94619 (enter gate)
When: February or March 2014

Additional Dates TBD: Chris Chatmon, Kim Shipp, John L. Burris, and others

Coordinator/Producer: Awele (ah WAY lay), TSA, PK-5, Literacy, LCI
E-mail: Talibah-Awele.Makeba@ousd.k12.ca.us|
On-line RSVP: OnTrack, OUSD Intranet

A special thanks to Kyla Johnson, Associate Superintendent, Leadership, Curriculum & Instruction

OAKLAND EDUCATION ASSOCIATION

AN AFFILIATE OF THE CALIFORNIA TEACHERS ASSOCIATION AND THE NATIONAL EDUCATION ASSOCIATION

There is Money to Provide a Safe and Healthy Oakland High School!

September 25, 2013

Dear Parents, Guardians, and Caregivers:

The teachers and certificated staff represented by the OEA are protesting today to bring public attention to critical issues facing Oakland's oldest high school.

1) **The bottom floor (the 200 rooms) has many classrooms where the air conditioning has been broken for well over a week. Temperatures in some of these windowless rooms have been in the 80s while others are in the 50s. Teachers have been forced to bring electric fans to school, students are becoming ill, and learning has been impacted.**

2) **Meanwhile, in a school with a Wellness Center and a Public Health Academy, our swimming pool lifeguard has been laid-off and Driver Education class suspended due to an alleged budget shortfall.**

3) **Furthermore, many classes are overcrowded due to the site administrations' poor master scheduling and the failure of the OUSD central office to provide our school with sufficient funds under a practice called "RBB". We still have no librarian and our restored music program is lacking sufficient supplies and instruments...**

Call the following elected and appointed officials to demand a safe and healthy Oakland High with a quality public education for all students and families. OUSD is receiving millions of dollars in additional funds due to Proposition 30 and the new California state Local Funding Formula. Thank you for your support!

David Kakishiba, OUSD Board of Education at 510-533-1092

Dr. Gary Yee, Acting OUSD Superintendent at 510-879-8199

272 East 12th Street • Oakland, CA 94606 • Phone: (510) 763-4020 • Fax: (510) 763-6354 • Hotline: (510) 763-0900
Email: OaklandEA@OaklandEA.org • Website: OaklandEA.org

ACCIDENT AVOIDANCE Today's cars are safer than ever, but most deaths result from poor driver choices.

Crash course on safety

Highway deaths are up. Here's how you can help bring them down

AFTER SIX YEARS of steady declines in motor-vehicle deaths in the U.S., the initial data for 2012 grabbed the attention of many safety advocates when it showed a notable 5 percent spike. That means 1,700 more people died on our roads; the estimated total is 34,080.

What caused the additional deaths isn't known, and the National Highway Traffic Safety Administration probably won't have final 2012 data until early next year. But a number of safety experts note an increase in miles driven due to the easing of the recession and 2012's exceptionally mild winter and spring.

In retrospect, the uptick in deaths shouldn't have been surprising. "Economic recessions have suppressed traffic fatalities before, notably in the early '80s and early '90s," points out Kenneth P. Kolosh, statistics manager for the National Safety Council. "Fatality numbers tend to bounce up in recovery periods."

Still, certain situations account for thousands of traffic fatalities each year. Two-thirds of the fatal crashes in 2011, for example, involved people who were wearing seat belts improperly or not at all, those who were speeding, or those who were driving drunk or distracted. And many were a result of a combination of factors.

Today's cars are the safest ever. They're better at protecting occupants in crashes and they have advanced technology that can help us avoid accidents altogether. But lowering the risk often comes down to a driver's choices. There are plenty of steps you can take to drive more safely and steer clear of dangerous drivers. The result could save thousands of lives and prevent hundreds of thousands of injuries.

Here's a look at each major factor, the number of deaths related to it in 2011 among all vehicle types, and what can be done to help make the roads safer.

Unbelted occupants

ANNUAL FATALITIES:

12,872

The good news is that only about 15 percent of the driving public still doesn't buckle up. But they account for more than 50 percent of the vehicle-occupant deaths. In 2011, almost 13,000 people died in traffic accidents in which occupants were unbelted or improperly belted, including in child seats. Many would have died anyway because of the seriousness of the crash, but NHTSA estimates that 3,384 lives would have been saved if everyone had buckled up.

In 2011, belt use was lowest among people age 16 to 24 (79 percent), according to the Insurance Institute for Highway Safety.

What you can do

Buckle up. Some people think that wearing a seat belt affects only them. But in a crash, an unbelted person can become a projectile that can injure or kill other occupants. Moreover, according to Joe Nolan, vice president of research for the IIHS, air bags could possibly be more effective if they didn't have to be designed to cope with both belted and unbelted people, as is now legally required. A recent IIHS study shows that having to protect unbelted people may come partly at the expense of people who do buckle up.

What else can be done

Expand enforcement laws. Eighteen states still don't have primary-enforcement laws, which allow the police to cite people solely for not buckling up. In 2012 belt use averaged 90 percent in primary-enforcement states, but 78 percent elsewhere.

Increase high-visibility enforcement. Focused law-enforcement campaigns have

had significant success in several states. Often using the slogan, "Click it or ticket," the programs work best when they're highly visible and aimed at the type of driver who tends to not buckle up.

Build safeguards into cars. Belt-ignition interlocks that made it impossible to start the car without first buckling up were disastrously unpopular when they were tried in the 1970s. But that's not the only option. Belt-minders, which remind you to buckle up, have proved to be very successful and could be implemented for all seating positions to improve use rates.

Newer SUVs have the lowest fatality rate

SUVs have come a long way in the last decade. Overall, they handle better, ride more comfortably, and get better fuel economy. And according to the Insurance Institute for Highway Safety, they're also now among the safest vehicles on the road. In fact, in its analysis of 2011 crash fatalities, the IIHS found that late-model SUVs—one to three years old—have the lowest death rate of any vehicle category.

These newer SUVs accounted for a relatively low 26 occupant deaths per million registered passenger vehicles, which is far better than cars, with an occupant-fatality rate of 62, or pickup trucks, with 72. The differences are even starker when we look just at driver deaths. In that snapshot, the death rate was only 18 per million for SUVs vs. 43 for cars and 54 for pickups.

Rollover deaths are down

Historically, rollover crashes have been the Achilles' heel of SUVs. And taller vehicles such as SUVs are still more prone to roll over than cars, which are lower to the ground. All vehicle types have improved a lot in this area in the last 10 years, but SUVs have improved the most. Again, looking just at 1- to 3-year-old vehicles, in single-vehicle rollover crashes, the driver death rate per million vehicles for passenger cars dropped from 18 in 2000 to 8 in 2011. With SUVs, driver deaths dropped from 42 to 4.

Many factors have contributed to this turnaround, including improvements in vehicle design and a move to car-based SUVs. But the biggest factor is probably the increased use of electronic stability control, a proven lifesaver. ESC is designed to help prevent a vehicle from skidding or sliding in a turn, and it's especially valuable in slippery conditions and when swerving to avoid an obstacle. Phased in over the last decade, ESC became mandatory for all 2012 and later models.

Of course, driver demographics play a role in these statistics. SUVs are often driven by middle-aged people, who tend to drive more conservatively than younger people. By contrast, young male drivers, who represent the largest risk group overall, often flock to small cars and compact pickups because of their lower prices. Perhaps understandably, in 2011 fairly new subcompacts had almost twice the driver fatality rate of fairly new midsized cars, according to the IIHS. And the fatality rate of compact pickups lately has been similar. Still, even that death rate was about equal to the average car's in 2008, so things are improving.

SEE SUV CRASH-TEST VIDEO
Use your smart phone to download the RedLaser or ShopSavvy app and scan the code for video.

Speeding

ANNUAL FATALITIES:

9,944

Whether it's because drivers are exceeding the posted speed limit or driving too fast for the conditions, in 2011 speeding contributed to about 30 percent of all traffic fatalities, NHTSA says.

Many people may not fully realize why excessive speed is dangerous. A speeding car is harder to control, of course, takes much farther to brake, and reduces a driver's time to react when needed. But then there's the matter of crash energy. The seriousness of a crash increases exponentially with your speed. A crash at 60 mph generates more than twice the impact energy of a crash at 40 mph. And beyond a certain point, the human body can't withstand rapid decelerations because the internal organs tear and rupture. Consequently, many high-speed crashes are just not survivable, regardless of seat belts, air bags, or other safety measures.

Going too fast on secondary roads can be especially hazardous. "The problem comes when people drive on a rural, undivided highway as if it were a freeway," says Russ Rader of the IIHS. "Those secondary roads, with their blind curves, no median, and lots of trees lining them are much trickier than interstates." In fact, only 13 percent of speed-related fatalities took place on interstate highways in 2011.

What you can do

Give yourself more margin for error. Driving at a moderate speed gives you more time to react to unexpected events and makes it easier to control your vehicle in a sudden maneuver. Also, be sure your tires are properly inflated; underinflated tires affect a car's handling and can overheat, increasing their potential for failure.

Slow down in wet conditions. Your car's tires just don't have the grip they would on dry pavement and can hydroplane, causing you to lose control without warning, espe-

cially at faster speeds. And don't drive on tires that are excessively worn. In our tests, even tires with half-worn tread showed a significant drop in wet grip and were much less resistant to hydroplaning.

What else can be done

Design traffic-calming strategies. Popular in Europe, they involve constructing pedestrian-friendly streets and roads that force cars to slow down. That may include building in speed humps or kinks and narrow places on streets.

Improve enforcement. The use of speed cameras along roads and red-light cameras at intersections has proved to be effective at saving lives. But they're also controversial, with many people viewing them as a government cash-grab. An intriguing demonstration in Sweden in 2010 was a "speed-camera lottery." Some of the money from speed-camera fines was handed back as a prize to a random driver who had gone past the cameras without speeding.

Make cars more speed-sensitive. Cruise-control systems can already adjust a car's speed as you drive. And many GPS devices display the speed limit of the road you're driving on. A system called Intelligent Speed Adaptation combines those capabilities. It can alert a driver who's going over the speed limit or even reduce a vehicle's speed automatically. But what's needed for this to be effective is more comprehensive speed-limit data in GPS maps.

Drunken driving

ANNUAL FATALITIES:

9,878

Every year about 30 percent of fatalities involve alcohol-impaired driving, according to NHTSA. The 2011 toll of almost 10,000 deaths includes car occupants, motorcycle and bicycle riders, and pedestrians who were involved in crashes or struck by a driver with an illegal blood-alcohol concentration (BAC) of 0.08 percent or higher. Progress in lowering the percentage of fatalities related to drunk driving proceeded rapidly in the 1980s but then stalled in the mid-'90s. The number of deaths has decreased, but the percentage of alcohol-related crashes remains stuck at about 30 percent. But if all alcohol-impaired drivers, with blood-alcohol concentrations at or above the legal limit, were prevented from driving, the IIHS estimates that 6,800 lives would be saved a year.

What you can do

Think ahead. If you expect to be drinking while away from home, make sure that you can get a ride back with someone who hasn't been drinking alcohol. Another helpful tip: Keep some extra cash with you to pay a taxi, if necessary, for you or someone else. And keep the cab company's number handy.

Take responsibility. "Many of us want to say something when we see an obviously intoxicated acquaintance about to drive their car, but we're afraid we'll be frowned upon," says David Hanson, Ph.D., a professor emeritus of sociology at the State University of New York at Potsdam. "Often, though, everyone else in the group is just waiting for someone else to take the lead. So go ahead and speak up. You might be saving someone's life."

Use a testing device. People metabolize alcohol differently. So if you're concerned about your blood-alcohol level or another person's, invest in a personal tester. Look for one that uses a law-enforcement-grade "fuel-cell sensor." They typically start at about $130.

What else can be done

Lower the legal alcohol limit. A National Transportation Safety Board report issued in May 2013 says that by the time someone's blood alcohol concentration reaches the current legal limit of .08 percent, the risk of a fatal crash has at least doubled. The NTSB recommends lowering the threshold to .05 or less. Almost all of the European Union, which cut alcohol fatalities by more than 50 percent from 2001 to 2010, uses a BAC of .05 as the threshold for drunken driving.

Add more sobriety checkpoints. Those are locations where law-enforcement officers stop cars to check drivers for signs of intoxication. Checkpoints are the best and longest-lasting deterrent when they're part of a "high-visibility enforcement" campaign and their location is widely advertised ahead of time. Though checkpoints have proved to be effective, cutting alcohol-related fatal crashes by some 9 percent, 10 states ban them for various reasons. So proper safeguards are necessary.

Use ignition interlocks more. Alcohol-ignition interlocks are blood-alcohol-level testing devices that prevent a car from being started unless the driver passes it after exhaling into the device. In many states, people convicted of driving while intoxicated have to use an ignition interlock for some period to be able to drive legally. To encourage that, Congress passed legislation last year that provides grants to states that require it for all drunken-driving offenders. Thirty-three states currently do not.

Alcohol-interlock devices that don't require breathing into a device are in development. They sample the air around you

Five ways to steer clear of dangerous drivers

1 Be ready for the unexpected. Stay alert and drive cautiously. Use your mirrors to stay aware of what's going on around your vehicle at all times.

2 Give other drivers plenty of space. Don't drive too close to a vehicle in front or right next to one for an extended time. Leaving room will give you more time to react if something goes wrong.

3 Hone your skills. Consider taking a defensive-driving or car-control course. They help teach you how to control your vehicle in emergency situations, such as when swerving to avoid an obstacle or another vehicle, and how to recover if your car starts going out of control.

4 Avoid driving at the deadliest times. In 2011 more fatal crashes occurred in the early-morning hours of Saturdays and Sundays than at any other time. Not only did fatalities peak at around 1 a.m. and 2 a.m., but most of those accidents involved drunken driving, including a whopping 72 percent of the crashes that occurred around 2 a.m. on Saturdays.

5 Report erratic, dangerous behavior. Pull over and call 911 to alert the police, especially if you can give a good description of the car or a license plate number.

The black-box dilemma

The Event Data Recorder, commonly called the black box, is a promising tool in the battle to reduce highway fatalities. Because it typically records such things as vehicle speed, throttle position, air-bag deployment, brake application, and seat-belt use, an EDR can give accident investigators valuable insight into what was happening during a vehicle crash. This can lead to the development of safer cars.

NHTSA data show that EDRs can be a powerful investigative and research tool, and studies with commercial fleets have shown that they can increase safety by helping to modify driver behavior. In addition, trauma centers say that the data can be invaluable in diagnosing the injuries of accident victims.

Most cars are now equipped with an EDR, but for years the data they recorded and how it was retrieved varied widely from one automaker to another. That problem drew the spotlight in 2010 when Toyota, in a Senate hearing, admitted it had only one laptop in the U.S. that could read its EDR data.

To address the variation among the systems, NHTSA required that as of Sept. 1, 2012, all EDRs in new cars record the same type of data and standardize how it's retrieved. But because of all the older cars, it will take years before investigators can reap the full benefits.

Another concern is privacy. NHTSA has left the question of who owns or controls the use of that data up to the states. But many consumer advocates worry that the data could be misused. Consumers Union, the advocacy arm of Consumer Reports, thinks that EDRs should be mandated for use in all vehicles, but that car owners should own the data.

or take a reading from your skin when you touch a sensor. None is foolproof, but if they could be made reliable, fast-responding, and cost-effective, they could be a real lifesaver.

Distracted driving

ANNUAL FATALITIES:

3,331

Drivers have always faced distractions, but the popularity of texting and the rapid and widespread adoption of smart phones, with their Internet and music-playing capabilities, have made the distraction potential much worse. Automakers keep adding more electronic systems into their vehicles, which we've often found to be overly complicated and distracting to use while driving.

According to NHTSA, there were more than 3,000 traffic deaths involving distracted drivers in 2011, and 387,000 people were injured. But many experts think that those figures are underreported. Officers at an accident scene may have little or no evidence about whether a distraction contributed to the crash. And many police departments don't record the use of cell phones or other causes of distracted driving in their accident reports.

The National Safety Council says that "at least 23 percent of all traffic crashes—or at least 1.3 million crashes—involve cell-phone use per year," and that "an estimated 1.2 million crashes each year involve drivers using cell phones for conversations and at least 100,000 additional crashes can be related to drivers who are texting." The council is calling for a total ban on cell-phone use while driving.

Eleven states now ban hand-held cell-phone use by drivers, and 37 ban any phone use, hands-free or otherwise, by novice drivers. Forty-one states ban texting by drivers and six more ban novice drivers from texting. Most have primary-enforcement laws, which mean you can be cited without violating any other laws.

What you can do

Put down the device. Use a hand-held cell phone or other electronic device only when the car is stopped off the road.

Don't enable. If you know someone is driving, don't call or text. As a passenger, speak up if a driver picks up a device to use. And set a good example. Texting or using the phone while driving sends your kids a message that it's OK.

Get an anti-distraction app. If you or your teenage driver finds it hard to ignore the phone while driving, the smartphone app will block most incoming calls and texts. Available free or for a small fee, it will also send your callers an automated message that says you're driving. For a rundown of several we've looked at, go to *ConsumerReports.org/distracted*.

Take action. Learn the rules in your state by going to *distraction.gov*. And if laws aren't in place, impose your own restrictions. To help pass or strengthen laws, voice your concerns to your legislators.

Buy a car with a good control system. Check our car reviews to find which models have easy-to-use controls and which have complicated, distracting systems. Infotainment systems that we've found difficult to use include MyFord Touch and MyLincoln Touch, and Cadillac's CUE system. Chrysler's Uconnect system is more intuitive and user-friendly.

What else can be done

Strengthen laws and enforcement. More states need to pass comprehensive distracted-driving laws that cover the use of hand-held devices as well as the use of any device—hand-held or hands-free—by novice drivers. And they need to back up the laws with effective enforcement. That combination has been shown to reduce the use of texting and hand-held phone use by drivers.

Design easy-to-use controls. As automakers cram more features into their cars, they need to simplify how drivers interact with them. Some systems force drivers to scroll through confusing menus to perform simple functions, which causes them to take their eyes off of the road for too long. Even an easy-to-use system, such as the one in the Tesla Model S, can provide too much functionality while the car is in motion, letting you prowl the Internet practically uninhibited as you cruise at any speed.

NHTSA recently released voluntary guidelines for automakers, but we think they should be mandatory. We also urge NHTSA to release guidelines for aftermarket products and make those mandatory as well.

Improve voice-command systems. We've found that voice-recognition systems can be handy for performing many functions, reducing the temptation to pick up a mobile device. But overall, they need to work better so that they don't become distractions themselves.

TAKE OUR ONLINE POLL

Which of the measures for cutting highway fatalities discussed in this article do you think are most important? Go to *ConsumerReports.org/carsafety*.