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Texting laws and cell phone users: motivations for texting while driving

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TEXTING LAWS AND CELL PHONE USERS: MOTIVATIONS FOR TEXTING WHILE
DRIVING

A Thesis

Submitted to the Graduate Faculty of the
Louisiana State University and
Agricultural and Mechanical College
in partial fulfillment of the
requirements for the degree of
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in

The Manship School of Mass Communication

By
Jonathan Ferrante
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ABSTRACT

Legal scholars, academics, and industry researchers have indicated that using cell phones when driving is among the most dangerous hazard faced by motorists today. This relatively new technology is embedded in the lives of most people, at all times of the day, including when behind the wheel of a car. Harvard and National Highway Traffic Safety Administration researchers have exposed the dangers of cell phones and driving, but a solution to curtail the problem has yet to be found. This study seeks to understand the motivations and mediating factors affecting texting and driving law compliance by cell phone users. I conducted a survey that gathered preliminary data that was used to create an outline for two focus groups. The survey results showed that 18 to 21 year old undergraduates are highly knowledgeable (92 percent) about texting and driving laws, receive the majority of this information from friends, parents, and news sources, and have experienced, seen, or heard at least one negative story about texting and driving. The two focus groups explained the knowledge and motivations further. Participants reported a high degree of self-efficacy when multitasking with digital devices. This, coupled with what the participants perceived to be ineffective laws, prompted increased usage and deficient self-regulation. This project reveals how a digital native's hyper usage of mobile communication devices combined with texting and driving laws that are poorly crafted has created an atmosphere where texting and driving is neither constrained by laws or self-regulation.

INTRODUCTION

In 2008 a crowded commuter train collided with a freight train after the conductor failed to stop for a red light. In the course of the incident 25 people died and another 135 were injured (Chatterjee, 2008). The National Transportation Safety Board found that Robert Sanchez, the conductor and one of the fatalities, was exchanging text messages just 20 seconds before the crash. This accident proved to be the worst train crash in 15 years. A year later, a Boston trolley operator injured 49 passengers when he rear-ended a second trolley that had stopped at a red light (Valencia, Bierman, 2009). The trolley driver admitted to the Massachusetts Bay Transportation Authority that he had been texting his girlfriend when he looked up and was unable to apply the brakes quickly enough.

These examples marked the beginning of noticeable national debate about mobile communication devices in motor vehicles. In 2009, the legislatures in 43 states debated more than 270 texting and driving bills (Farris, 2011). The legislatures of 11 states passed texting and driving laws in 2010 bringing the total number of states that prohibit texting while driving to 34 (GHSA, 2012). In addition to state legislators debating the issue, Congress attempted to set a federal standard for a texting and driving law by using the power of the Commerce Clause to force states to comply or lose 25 percent of their federal highway financing. The attempt was unsuccessful but laid the groundwork for future legislation. Similarly, the federal government led by example when President Obama signed Executive Order 13,513, which prohibits federal employees from emailing or texting when working (National Archives, 2009).

Yet, mass communication scholars have not really studied this phenomenon. Thus, this thesis builds on the notion that more research from the academic community is needed to guide

legislation, effective advertising campaigns, and widespread public knowledge of the dangers of texting and driving. Specifically, this research will examine how texting and driving laws are perceived by cell phone users and how perceptions of the laws influence behavior when the individual gets behind the wheel.

Legal scholars, academics, and industry researchers have indicated that using cell phones when driving is among the most dangerous hazard faced by motorists today (Farris, 2011; Ibrahim, Anderson, Burris, Wagenaar, 2011; Braitman, McCartt, 2010). Reports show that driver inattention has been a factor in 16 percent of all fatal crashes in 2008 (Ibrahim, Anderson, Burris, Wagenaar, 2011). Similarly, other studies estimate that eliminating cell phones from motor vehicles would remove 333,000 traffic crashes leading to 2,600 deaths (Cohen, Graham, 2003). This thesis draws on industry studies, legal analysis of current legislation, and recent scholarship of motivations and behaviors, to examine the phenomenon of texting while driving. This study will analyze legal scholars work on the flaws and inefficiencies of current legislation. It will offer an overview of the mass communication theories and academic literature on the motivations, behaviors, and trends of cell phone usage. Finally using the legal, industry, and academic literature as a guide, this thesis will use a survey and focus groups to determine current motivations of individuals who text and drive.

With all of the news about texting and fatalities, campaigns to “put the phone down,” and legislative action, why is texting and driving a growing problem? What can the research tell us about why people use these devices with such devotion, even when that use can be dangerous?

LITERATURE REVIEW

As noted in the introduction, this thesis builds on the notion that more research from the academic community is needed to guide legislation, effective advertising campaigns, and widespread public knowledge of the dangers of texting and driving. Specifically, this research will examine how texting and driving laws are perceived by cell phone users and how perceptions of the laws influence behavior when the individual gets behind the wheel. Central to this issue is the choice made by the driver to engage or not engage a mobile communication device. What helps to form this decision that can have potentially fatal consequences? It is of some use to first understand what role the mobile phone plays in the technological ecosystem of today. Specifically, what role does the phone play in our lives on a day-to-day basis?

As of June 2011, there were more than 324 million wireless subscribers in the U.S. or just over one phone for every person (CTIA, 2011). The demographics also show varied usage and phone type ownership. The highest percentage of smartphone ownership is in the \$75, 000 and over household income category, with the lowest being in the African American/ Latino category. Android leads with the most smartphone owners, 35 percent, and the most cell phone owners overall, 15 percent. The numbers also show that about two thirds of adults connect to the internet through a wireless device, whether a laptop or handheld device. How do cell phone owners use their devices? A 2011 Pew poll (Smith, 2011) showed that sending and receiving text messages tops the list. Taking pictures and sending email is similar in popularity. Accessing the internet, sending photos/ videos, recording videos, accessing a social networking site, watching a video, and posting a video or photo online are all near or above half of the uses by all cell phone owners.

Also popular with smart phone users, apps provide users a way to access information quickly and directly. Cell phone app download habits show that news, weather, sports, and stock apps top the list, followed by information reference apps, traveling, shopping, and event information. Pew also noted that 28 percent of cellphone owners are using location-based information for directions or recommendations based on their immediate location (Smith, 2011).

This convergence has created high user reliance and digital intimacy or connection to devices. Some studies show that up to 75 percent of iPhone users sleep with their phones next to them (Ng, 2010). In the same study from Stanford University, researchers noted that addiction to mobile devices will become a cause for concern in the near future, explaining that users saw the phone not only as a utility but as an extension of themselves due to the vast amount of data and individualizing they had done to the phone (Ng, 2010). Professor Tanya Luhrmann, the principle researcher from the study, explains that the level of involvement or intimacy was in "how identified people were with their iPhone. It was not so much with the object itself, but it had so much personal information that it became a kind of extension of the mind and a means to have a social life. It just kind of captured part of their identity" (Hope, 2010). Positive trends such as being more organized, more productive, and consuming more media is part of the addiction as well. Dan Wooley provides an example of the level of dependency that can be shared between the user and device. While volunteering as a relief worker in the Haiti earthquake aftermath, Wooley became trapped and turned to a first-aid app on his smart phone for information about tying a tourniquet. The information and subsequently the tourniquet eventually saved his life (Chen, 2010).

Media Addiction

The 'always on' function helps contribute to the addictive quality of the mobile device (Ferrante, 2010). This function, sometimes referred to as the boot time, is one of the main distinctions, aside from size, that adds to the power of instant gratification on mobile devices. Wei and Lo (2006) explain that this transportable communication will undoubtedly change the way the world works, lives, and interacts even more than the telephone due to the 'anytime and anywhere' function. They explained that beyond this anywhere accessibility, other factors such as social utility, or the function of the phone that contributes to facilitating communication with other individuals, can help explain the addictive tendencies of these devices.

Additionally, media addictiveness can be one explanation to why deviant cell phone behavior persists despite knowledge that the behavior may have potentially negative consequences. Marks (1990) explained that a repetitive ritual is not considered addictive until the behavior becomes destructive. These behavioral addictions can be non-chemical or have no external substance as a factor yet share the same characteristics with those of substance abuse -- these disorders deal with the functions of impulse control and self-regulation such as Obsessive Compulsive Disorder (OCD), gambling, overeating, etc. He contended that behavioral conditioning is affected by external cues like people, places, or things or internal cues such as boredom or depression.

Larose, Lin, and Eastin (2003) further explained in their analysis of problematic internet consumption that according to Marks' (1990) definition of behavioral addiction, addicted media consumers are driven to consume media regardless of the risks associated with continued consumption and despite feeling out of control or irrational. They attest that media addiction questions the prevailing notion of uses and gratification media consumption that emphasizes a personal choice to consume media that fits his or her needs. Thus, digital addiction provides an

area to reevaluate the media addiction issue and the basic notions of media use from the perspective of habit or reason. The authors contended that media addiction, or unregulated media usage as they prefer to term it, has been looked at through the lens of a psychiatric condition and the traits of those conditions applied to media consumption behavior. For example, McIlwraith et al. (1991) used criteria for substance abuse dependence to examine dependency to television while Brenner (1997) and Scherer (1997) used the same criteria to study internet dependency.

Similarly, the authors explained that Young (1998, 1999) combined the tenets of psychoactive substance abuse dependency and pathological gambling to define internet addiction disorders. Operational definitions were developed from the same list used to describe criteria for substance abuse. Kubey (1996) developed a television dependence general symptom list that includes: preoccupation, increased tolerance, relapse, withdrawal, loss of control, life consequences, concealment, and escapism. The author contended that two divergent views exist about the origins and development of media addiction: one theory that points to addictive personality types and one that uses operant conditioning as the cause of the developed addiction. McIlwraith (1998) explained that the addictive personality type manifests as neurotic, sensation-seeking, or oral fixations and Marlatt et al. (1998) found that particular personality traits like depression and low self-esteem appeared to cause addiction.

Conversely, other media addiction researchers (Brenner, 1997; Davis, 2001; Griffiths, 1995, 1999; Putnam, 2000; Smith, 1986; Young, 1999) have posited that operant conditioning can explain the general problem of addiction. These authors suggested that four phases led to addiction: initiation, transition to ongoing use, addiction, and behavior change. Additionally, these steps can be compounded when any parts of the process are combined with secondary conditioning such as internal cues like boredom or depression, or external cues like the sight of

media mediums such as the TV, remote control, or open browser. With these views in mind, the authors contended that a better paradigm is apparent since many people can overcome media addictions without professional help (Hall & Parsons, 2001; Marlatt et al., 1998; Peele, 1999). A better explanation is available by using the tenets that Bandura (1989) laid out in his social-cognitive theory. The theory posits that individuals are self-reflecting and self-regulating and that the media consumed is constantly reevaluated based on personal standards and social structure. The authors drew on Bandura's (1991) self-regulation mechanism where the individual exhibits self-control through the processes of self-monitoring, judgmental processes, and self-reaction. The process of self-monitoring is the constant observation of one's actions to give information about the impact of his or her actions on the self, others, and the environment. During the judgmental process one evaluates the self and contrasts these actions against personal standards or normalcy, societal standards of normalcy, past actions of the same process, or collective behavior. Further, the self-reactive function is the reward step in the self-control process. In the self-reactive phase, self-administered rewards for behavior functions to reinforce the previous steps, and derive from completion of the activity that meets pre-established criteria, and take the form of self-respect or self-satisfaction (Bandura, 1991).

LaRose, Lin, and Eastin (2003) put forth a model where "deficient self-regulation is defined as a state in which conscious self-control is relatively diminished" so that "self-regulation becomes less and less effective" and "deficient self-regulation and normal media consumers may experiences lapses in self-regulation just as addicted ones do" (p. 232-233).

Uses and gratifications explains that the media consumer is an active participant in choosing their media. Examining this model from the uses and gratifications tradition, deficient self-regulation begins from using media to satisfy boredom, pass the time, social interaction, or social

identity. These dysphoric mood states can then act as a way for classical conditioning to incentivize media consumption. Further, these dysphoric moods can critically affect the model of uses and gratifications by interrupting the process whereby the individual chooses his or her media and replaces that by increasing media consumption based on emotional cues and habits. In this model of deficient self-regulation the repetition of media consumption based on emotional triggers increases the habit strength and with it the likelihood of the same pattern continuing (Landis et al., 1978). Previous models posited that media consumption behavior was either automatic or controlled (Shiffrin & Schneider, 1977) however this dichotomy was later found to be present simultaneously (Bargh & Gollwitzer, 1994). LaRose, Lin, and Eastin (2003) explained this joint function of automatic and controlled media consumption can be woven into the social-cognitive theory in the process whereby decreased self-monitoring leads to less self-reactive responses that could moderate the behavior.

Another important tenet of the social-cognitive theory is self-efficacy or the ability for oneself to believe that a particular function or action can be performed with a great deal of success.

Bandura (2001) explained that people guild their actions, whether consciously or sub-consciously, by setting goals then mobilizing their resources to achieve these goals. In this scenario, the goals that are achieved stimulate self-efficacy and then subsequently additional, more challenging goals are set. He explained that within the area of self-reference, self-efficacy is the most important factor that directly contributes to the way a person functions and deals with choices that will directly affect his or her life. These incentives in the form of goal completion directly affect the way a person is motivated to adopt any new behavior.

Uses and Gratifications

The uses and gratifications theory has helped to explain the motivations and behaviors of users by specifically focusing on how and why they use this medium. The theory of uses and gratifications puts forth four basic tenets that develop the structure of the theory: the audience is actively consuming media, the choice to consume media lies with the individual, media compete with other sources of human needs, and individuals are able to articulate their needs and recognize them. Wei and Lo (2006) explained that the uses and gratifications approach is well suited to explain why media is used because it assumes that an individual will seek out different information and use the chosen information uniquely. Overall, the approach provides a user-centered prospective with which to evaluate motivations for use. The uses and gratifications theoretical approach also takes into account the social and psychological needs as well as the need for gratification. Studies have shown that the uses and gratifications approach is very efficient at identifying the reasons for choosing media, such as newspaper reading (Lichtenstein and Rosenfeld, 1984), television viewing (Ruben, 1983), the VCR (Ruben and Bantz, 1987), and the use of the internet (Charney and Greenberg, 2002), all of which have now been incorporated into recent versions of the smart phone (Wei and Lo, 2006).

Wei and Lo contended that early studies on the telephone, most notably by Keller (1977) and Noble (1987) differentiated the uses and gratifications of telephone users into two broad categories: social and instrumental. The social function enabled the user to chat, gossip, keep family contacts, etc. The instrumental function allowed the user to make appointments, order products, obtain information, etc. The Keller and Noble studies showed how the social uses were more frequently cited than the functional uses (Wei and Lo, 2006). Other seminal studies showed that the cell phone's predecessor fulfilled a number of other gratifications such as fun and

entertainment (Dimmick et al., 1994), sociability, entertainment, acquisition, and time management (O’Keefe and Sulanowski, 1995). The interim mobile device, the pager, provided the gratification of fashion and status (Leung and Wei, 1998). Wellman and Guila (1999) further explain the social gratification as the need to maintain relationships. These relationships can be maintained by the mediated connections readily available via the telephone.

Scholars contend that the uses and gratifications theory for analyzing social uses of technology is highly applicable. Petric, Petrovcic, and Vehovar, (2011) explain the uses and gratifications theory is an effective framework for studying new communication technologies. They show how other scholars (Flanagin, 2005; Flanagin and Metzger, 2001; Leung and Wei, 2000; Morris and Ogan, 1996; Rubin, 1994; Van der Voort et al., 1998; Wei and Lo, 2006) have taken similar approaches in studying new communication technologies. Blumler and Katz (1974) originally developed the theory for mass media use, however, Petric et al. contended that recent scholars have argued (Ruggiero, 2000) that this theory is particularly suited for exploring the uses and gratifications of interactive technologies. Furthermore, the U&G approach can explain the “uses people have for new communication systems” (Flanagin and Metzger, 2001: p.158) and why a device or communication technology is chosen over another. The changing landscape of mobile communication has almost eliminated things like the fixed telephone and sending letters, consequently, this new landscape disputes the uses of these new technologies by calling “into question the meaning of proximity, distance, presence and mobility” (Mascheroni, 2007: p. 536).

Some scholars have taken up the issue of uses and gratifications in new communication research and advocated for its use. Ruggiero (2000) in *Uses and Gratifications Theory in the 21st Century* laid the groundwork for why the “emergence of computer-mediated communication has revived the significance of uses and gratifications” (p. 3). He explained that the communications industry

has transformed in the last 30 years and as such the exposure patterns of media consumers have drastically changed. New technologies have presented consumers with increasingly more choices and the motivations of consumers have become crucial in understanding the audience's actions. Researchers have applied the theory in numerous ways such as: cable and television audience needs (Donohew, Palmgreen, and Rayburn, 1987); cable subscribership retention factors (LaRose and Atkin, 1991); VCR satisfaction (Lin, 1993); effects of computer and video games on adolescents' self-perceptions (Funk and Buchman, 1996); uses and gratifications of social media (Haase and Young, 2010); and gratifications of digital music piracy (Sheehan, Tsao, and Yang, 2010). Researchers have repurposed this theory to examine if new communication technologies are used to satisfy the same needs that traditional media had originally satisfied (Williams, Phillips, and Lum, 1985). Likewise, Ruggiero (2000) further explained that three aspects of the digital media landscape strengthen the utility of uses and gratifications for examining behaviors: interactivity, demassification, and asynchronicity. Interactivity has been defined as the extent to which the active user has control over new communication systems. Demassification is the ability to select from a wide range of specific, narrow media that was previously only available as mass media. Finally, asynchronicity refers to the notion that the user can infinitely control reading, listening, writing, sharing, or viewing his or her media at any point in time.

At the heart of the uses and gratifications theory is the ability of users to be in control of their media usage and what connection they have with various media. Sheehan et al. (2010) explained that the way a medium meets a person's needs can dictate if that person will continue to use that medium. The authors contended that the uses and gratifications perspective can also be used when the action giving the gratification is illegal. Schramm (1977) outlined this concept in what

he called the *fraction of selection*. He explained that people weigh the reward or gratification that they receive from a medium against the effort or cost that they expend to get that gratification. The authors (Sheehan et al., 2010) used this concept to help explain the gratifications sought in music downloading, and similarly, illegal music downloading.

Some scholars have attempted to reconcile uses and gratifications by applying a social cognitive perspective to the conventional uses and gratifications approach. LaRose and Eastin (2010) explained that various studies (Charney & Greenburg, 2001; Chou & Hsiao, 2000; Eastin & Lin, 2004; Stafford & Stafford, 2001) have adapted uses and gratifications to internet studies. Collectively, these studies have pointed to one tenet of the use and gratifications model that “gratifications sought explain individual media exposure” (p. 359). However, while these studies have upheld this one tenet, other studies (Ferguson & Perse, 2000; Kaye, 1998; Papacharissi & Rubin, 2000) showed that uses and gratifications did not explain media exposure well explaining that gratifications sought, one of the basic tenets of uses and gratifications, could only explain a small percentage, around 10 percent of the variance, of the usage from gratifications.

The authors (LaRose and Eastin, 2004) explained that some studies have departed from the typical gratifications sought and gratifications obtained that guided most uses and gratifications approaches. Rather, studies (Charney and Greenberg, 2001; LaRose, Mastro, and Eastin, 2001; Lin, 1999) have asked what they expect of media in the future rather than what they expect in the present or past. These studies have doubled, tripled, and quadrupled the variance that could be explained in media behavior as opposed to the original method. Further, LaRose and Eastin (2004) explain that social cognitive theory can help explain uses and gratifications by offering a theoretical link between gratifications and usage. For example, uses and gratifications can be understood in a socio-cognitive framework by looking at where SCT furthers the previous

theory: SCT suggests expected outcomes where uses and gratifications explored gratifications and SCT suggests behavioral incentives where uses and gratifications explored needs. LaRose and Eastin (2004) further explain that the gratifications sought and gratifications obtained tenets of the uses and gratifications theory does not help to understand outcome expectations or the possibility that a particular outcome will be obtained in the future. Uses and gratifications explains what an individual hopes the outcome will be but not the “expectations of achieving the outcome through ... present behavior” (p. 361). Thus, Social Cognitive Theory posits that outcome expectations are continually updated based on vicarious learning and self-experiences.

Additionally, Social Cognitive Theory can further explain how gratifications can reinforce a specific behavior when the outcome is positive. Conversely, in SCT a negative outcome often leads to a reduction of the action. These gratifications could be a negative predictor of behavior or simply just a confounding variable (LaRose and Eastin, 2004). In SCT the individual’s usage is impacted by the collective experiences, good or bad, learned by the user or through vicarious means. The vicarious learning can be through social experiences, observation, or perceived risks based on a combination of vicarious channels. Thus SCT posits that “from observing others one forms an idea of how new behaviors are performed, and on later occasions this coded information serves as a guide for action” whether this is good or bad (Bandura, 1977, p. 22).

Social Cognitive Theory extends the existing uses and gratifications theory by proposing two concepts that help to explain outcome expectations. Self-efficacy and self-regulation provide a heuristic way to help further media behavior expectations through social cognitive theory. Self-efficacy is the process of analyzing one’s capability to execute a particular course of action (Bandura, 1986). As media consumers become more self-efficacious they further believe that a particular action will hold a certain outcome and consequently this will encourage and predict

more of the action. Bandura (2001) explained that self-efficacious thought influences optimism or pessimism, goals set and commitment to them, effort put forth, outcomes expected, perseverance to obstacles, stress and depression experienced, and realization of accomplishments. Self-efficacy is the most important self-referent thought process that affects how individuals believe that they have control over the events that affect their lives. He explains that this process is central to human action since there is little incentive to act if the perceived action will not, or cannot, be achieved.

Self-regulation is another construct that is central to how social cognitive theory extends uses and gratifications theory and its impact on media behavior. Self-regulation posits that individuals monitor their own behavior and apply personal standards, social standards, and self-reactive incentives to monitor their behavior (Bandura, 1991). Bandura (2001) explained that efficient cognitive function requires that an individual differentiate between correct and faulty ways of thinking. In the process of self-reflective thought individuals can analyze thought, produce different ways of thinking, and then act. This process produces a rubric for thought analysis that can be used to validate thoughts and change them accordingly. Within this process there are four different modes of thought process: enactive, vicarious, social, and logical (Bandura, 2001).

Enactive verification is the process of verifying how well a thought process fits the actions that it spawned. In this verification process a well-fit match can reinforce similar thoughts while a mismatch can refute the original thinking. Vicarious verification happens when we analyze others' actions and what effect these actions have on the environment they interact with. This type of verification provides a check and balance system with which to check the correctness of one's own thoughts through the expansion of knowledge accumulation by observation that would otherwise not be available through personal actions alone. When social verification is used to

verify thought the individual evaluates his or her thoughts against what others believe to be true or correct thinking. Logical verification is used to verify thoughts by deducing the correct answers from knowledge already known to the individual. LaRose and Eastin (2004) contended that self-regulation, and its constructs, is an important distinction of social cognitive theory because it posits that self-generated influences control the media usage behavior not external influences alone. However, they contended that when the process of self-regulation breaks down the consequence is increased media consumption that results from habit formation or deficient self-regulation. The authors explained that while the concept of habit is often overlooked in media study (Rosenstein and Grant, 1997; Stone and Stone, 1990), research suggests that media behavior can be habitual (Adams, 2000). They explained that habit happens when the self-monitoring sub-function of self-regulation is disregarded due to increased repetition and the mind no longer devoting cognitive function to such a process. The next section will explore the legal literature on texting and driving laws.

Texting and Driving Laws

Concern about the prevalence of texting while driving, the impact on society, and potential solutions has been articulated by legal scholars as well. Legal scholars have provided analysis on a variety of topics regarding mobile communication devices in vehicles such as: the inability of law to effectively control technology (Chandler, 2007); a holistic overview of traffic safety and laws (Brueckner, 2011); the various responses from state legislatures to texting while driving (Sherzan, 2010); a government, law, industry, and individual comprehensive solution (Farris, 2011); proposals to change the tort system with regards to injury caused by texting (Horwitt,

2002); an analysis of state traffic codes (Hasler, 2010); and, the unconstitutionality of texting ban laws (Lazerow, 2010).

A concern frequently raised among legal scholars is the efficacy of the law proposed by the legislations, that is: whether the law can serve a purpose, not be over or under broad, and if it's necessary (Farris, 2011). One problem is the enforcement of texting while driving laws. Farris (2011) explains that the conduct the law prohibits is easily hidden from law enforcement by simply putting the phone in the lap or below eye level. In fact, law enforcement may notice a person manipulating a mobile communication device; however, the driver could be making a call, using the GPS, or texting – all of which are legal or illegal in different states. The low number of tickets issued by states is further proof that many of the laws are virtually impossible to enforce. For example, California issued only 1,400 citations for texting while driving in 2008, which is a small number for a state with 23 million drivers (Whitcomb, 2009). Additionally, many states enact laws without much potency. Legislatures reacting to public outcry pass laws that are little more than a slap on the wrist with a low dollar fine, no license points, or warning tickets (Farris, 2011).

Other scholars have drawn attention to the difficulty of law enforcement to recognize the age of the driver in states where a certain age or type of driver is banned from using a cell phone while driving. Sherzan (2010) explains that many new laws come with a break-in period where law enforcement learns how to enforce the law and the public receives only warnings. The difficulties for law enforcement and the public during this period provide little motivation for enforcement or compliance.

States vary widely on what penalties are delivered for drivers caught texting and driving.

Brueckner (2011) explains that the two types of enforcement methods, primary and secondary, can significantly change how much the law is a deterrent. Some states have placed enforcement of texting and driving laws as primary where by the offender can be stopped for simply using his or her cell phone. Conversely, other states have made enforcement of texting laws a secondary consideration for police meaning that the driver cannot be stopped for texting and driving alone they must be committing another offense also. Brueckner (2011) describes how some states have taken the lead and set the penalty for texting while driving on par with drunk driving, which it is often compared to. For example, Utah imposes strict penalties for texting while driving and texting while driving leading to death or injury. A misdemeanor, three months in prison, or a \$750 fine is the price Utah has placed on texting while driving. Additionally, if a text leads to death or injury the price could be a felony, fifteen years in prison, or a \$10,000 fine (Richtel, 2009).

Additionally, Brueckner (2011) explains that detection is also problematic with texting and driving laws. For example, another form of distracted driving that predates texting and driving laws is drunk driving. These drivers are easier to detect than the average texting driver and when a suspected motorist is drunk the officer can simply pull the driver over and administer a breathalyzer. In contrast, by the time a texting driver is pulled over the driver has had sufficient time to put the phone away, delete the text, or concoct a story about using the phone for a legal action such as to play music or as a global positioning system. If the officer presses the driver to see the phone, Fourth Amendment issues arise if an officer attempts to search a suspect's phone without a warrant. Brueckner (2011) explains that the Supreme Court has ruled that in many non-traditional modes of communication the person's privacy must remain paramount.

Finally, the most cited flaw in the texting and driving laws is the vagueness of the various statutes. Lazerow (2010) explains, for example, in Maryland the law restricting text messaging provides no explanation of what constitutes a text message, it simply defines a text-messaging device. Further, when the courts interpret the statute according to commonly understood meanings as is usually standard, the law excludes any function of the phone that is not simply a SMS message, such as Facebook, Twitter, etc. This ambiguity in the law, Lazerow explains, leaves Maryland citizens guessing about the meaning and application of the law.

Other legal scholars have explored the law as a social institution for controlling technology. Chandler (2007) explains that “the law is an imprecise label for a diverse group of social control mechanisms, and various legal actors and processes [that] affect the development and use of technologies” (p. 339). She further explains that these social control mechanisms are not equipped to control technology and are simply reactionary instead of foreseeing technological integration problems. This process happens on multiple levels from legal actors, to government agencies and then the courts. Chandler (2007) lays out this case based on the autonomy of technology theory. This theory suggests that new technology resists effective human control and thus follows a path where this lack of control leads to society adapting its ideals to technology instead of the other way around. She explains that this idea is not meant to personify technology or suggest that machines are sentient, but rather that the idea that we control technology and choose whether or not to use it is illusory. She explains that as technology emerges in society humans adjust their actions to match the available technology in a term called “reverse adaptation” (Winner, 1977, p. 277). However, the autonomy of technology theory has been criticized by social constructivist views that posit technologies are shaped by human action and that technology is understood by how it is positioned in society. Despite this criticism, Chandler

contends that even if the autonomy of technology is exaggerated then it can be used as a prompt to examine the ways that technology enters into the fabric of society. Additionally, this should be applied to legal institutions to question whether the courts are systematically supporting the acceptance of technology through tort, contract, and judicial opinions (Chandler, 2007).

Similarly, Green (1990) contends that the law-science relationship is understudied and further, that “legal academics and other scholars struggle to understand and explain the justification for the involvement of law schools in this field” (p. 376). He explains that this relationship is crucial in the public-policy decision-making process so that society can reap the benefits of science and technology without being exposed to unnecessary risks caused by a lack of understanding.

Goldberg (1986) posits that the “fundamental difference between the disciplines is that science emphasizes progress while law emphasizes process,” and that this relationship is strained when scientific research progresses from the lab to society application (Green, 1990, p. 377). Green (1990) further explains that part of the problem is the way the area of law and science analyze decisions through quantitative and qualitative perspectives. This difference of analytical process coupled with a lack of communication in general has led to the two disciplines largely ignoring the societal issues that require the attention of both fields simultaneously. Green contends that to bridge the gap between these two fields the legal profession must be interested in not only what the law is but what role the legal profession plays as architects of public policy. Similarly, the scientific community must embrace the legal community as more than just meddlers who can offer little assistance to science. Instead, it should understand that each profession doing its part can produce policy that puts the good of society paramount. The next section explores Louisiana’s texting and driving law.

LOUISIANA’S TEXTING AND DRIVING LAWS

This thesis will specifically apply to Louisiana’s texting and driving law. Like many states, Louisiana recently updated its current law regarding cell phone use and driving during the 2010 legislative session. The legislature amended the current law to increase texting and driving to a primary offense which means that officers can now stop drivers and issue tickets for texting alone. The Statute, La. R.S. 32:300.5 (2010), provides that any driver, while on a state highway, is restricted from using a “wireless telecommunications device” to “write, send, or read a text-based communication.” The statute describes a “wireless telecommunications device” as a “cellular telephone, a text-messaging device, a personal digital assistant, a stand-alone computer, or any other substantially similar wireless device that is readily removable from the vehicle and is used to write, send, or read text or data through manual input.” The law is specific enough to include “text message, instant message, or electronic mail” on the list of banned forms of communication while driving (La. R.S. 32:300.5).

A foreseeable issue with this statute is the wording that explains what “text-based communication” means. Section (A)(2)(b) defines this communication as “a text message, instant message, or electronic mail”(La. R.S. 32:300.5). This wording may have been sufficient during the early days of the telephone, however, current trends in smartphone usage indicate that an increasingly greater number of people are using their phones for more than just texting. According to the International Telecommunications Union (ITC), a global telecommunications think-tank, increasingly more people will be accessing the internet over their smart-phones due to the 90 percent accessibility rate globally and 3G high-speed mobile connections available in 143 countries (Acharya, 2010).

Another issue with this traffic regulation statute is the provision that excludes a driver navigating

using a Global Positioning System (GPS). Section (B) (2)(e) provides that the statute exempts an operator of a moving motor vehicle using a wireless telecommunication device to navigate using a global positioning system. As was the contention regarding voice-texting, advances in technology make this provision a loop-hole in the statute. All of the popular smart-phones on the market allow the user to access some type of global positioning system and on many of the operating systems applications for GPS, text, or internet can run simultaneously.

The provisions put forth in this law are necessary if Louisiana's roads are to become a safer place to drive; however, the wording in the current statute needs to be updated to keep pace with rapid advances in technology. As mentioned above, the increasingly advanced smart phone allows the driver to accomplish much more than the current statute limits. The wording in the current statute should limit the writing, sending, or reading through not only manual but through voice as well. Similarly, if drivers are increasingly using their phones to access information through various applications and the phone's internet browser, then the statute should limit these functions of the phone too. Finally, the provision that allows the exclusion of a Global Positioning System from law enforcement punishment opens a loop hole that is simply unenforceable. (Statute B. 2.e) The smart phones available today from almost any carrier allow users to multitask between texting, internet browsing, global positioning system, and other functions on the phone not listed in the statute. It is impossible for an officer to differentiate between the global positioning system or texting function by the time the offender has been pulled over. It is possible, however, for an officer, with a court order, to find out if the alleged offender did send, or receive a text at the time the officer pulled him or her over. However, it is preposterous to imagine the law enforcement community shouldering this investigative burden for a \$175 ticket (La. R.S. 32:300.5).

HYPOTHESES AND RESEARCH QUESTIONS

This study seeks to understand the motivations and mediating factors affecting texting and driving law compliance by cell phone users. A survey and focus groups will be used to expose deep-seated motivations for texting and driving law compliance, and further, to identify the mediating factors that influence texting and driving. To make sure that the population, specific to the university where the survey and focus group sample is drawn from, is aware of the state laws that restrict their behavior RQ1 was developed.

RQ1: What do college students know about texting while driving laws and where did they obtain this information?

The second research question looks at the social influence of mobile communication devices. Since the age of the population sampled is between the ages of 18 and 22 it is important to understand how social influences, either computer mediated communication or face-to-face communication, affect behavior. This research question derives from Bandura's (2001) social cognitive theory, specifically that "personal agency operates within a broad network of sociostructural influences" (p. 266). Additionally, Bandura notes "people are producers as well as products of social systems" (p. 266).

RQ2: How do social influences impact day-to-day usage of mobile communication devices while driving?

Finally, central to this thesis is a better understanding of how texting and driving laws influence behavior and whether or not they are strong enough to overcome other motivations for texting and driving..

RQ3: How do texting laws influence day-to-day usage of mobile communication devices while driving?

Drawing on the literature of social cognitive theory whereby humans participate in social systems that promote vicarious learning through shared interactions and observations, the first hypothesis posits that knowledge of texting and driving laws is not accumulated from responses to situations but through vicarious means and observational learning.

H1: Information about texting and driving is obtained through social networks and vicarious knowledge accumulation.

Hypotheses two draws on literature from legal scholars about the efficacy of texting and driving laws, and is based on the idea of deficient self-regulation that comes from LaRose and Eastin's (2004) model of media attendance. Legal scholars have pointed to the fact that problems with the laws' wording and enforcement complications (Farris, 2011) create a low barrier to entry for texting drivers. LaRose and Eastin (2004) explain that once an expected outcome of media use is determined, little thought is transferred back to the evaluative phase of media selection and use.

H2: The social need to use a mobile communication device while driving will outweigh the legal ramifications.

METHODS

From the very first “cell” systems used in mining equipment, the bag phones of the early 90s, the Zach Morris “brick phone,” or the increasingly popular smart phones of today, the picture burned into many people’s mind is the steering wheel in one hand and the cell phone in the other. And while current investigations are concerned with the amount of talkers on the road at one time or the amount of texting done behind the wheel, few studies have fully explored what the mitigating factors are affecting cell phone usage while driving.

This thesis examined the level of knowledge of texting laws, usage habits, and the effect of these on cell phone usage while driving. To collect this data I administered a survey to a sample of LSU students. The survey was administered online through Qualtrics to 49 people collected preliminary data on the specific mobile communication device uses of the population that would be used to populate the focus groups. The survey collected preset categorical data on the age, sex, on/ off campus living situation, year of study, time spent driving per week, social networks used, length of cell phone ownership, and type of phone. Participants were then queried on ten open-ended questions about usage, utility, importance, law knowledge, perception of texting and driving, and a hypothetical situation where he or she could create a law to curtail texting and driving. All the participants that took the survey were between 18 and 22 years old with 90 percent being female. It is important to recognize this large skew toward female participants. A representative sample from each gender would be preferable, however, studies from Pew Internet (Lenhart, Ling, Campbell & Purcell, 2010) show that girls text more than boys do and older girls (14-17) are the most active texters.

The survey is the optimum data collection method for various reasons. First and foremost, the survey is the most commonly used method for gathering quantitative data (Keyton, 2011). As such, researchers have developed scales that can gather the data with a good degree of validity. These scales have been vetted by researchers and thus can be used as a jumping off point for a new survey or simply reproduced with the appropriate changes for a current study. Keyton (2011) explains that surveys are excellent methodological tools for examining what people do, what their behavior is, or what their attitudes may be. Generally, the survey can, if constructed properly, describe, compare, or explain almost any communication concept or topic (Fink, 1995). When completed the survey can explain how a group of people think about a certain topic. The data can then be generalized across the population from which the sample of participants was taken from.

The goal of the survey is to collect data that can be used to make inferences about the population, regardless of what type or how the survey is administered, however, certain types of surveys are more prone to bias or error. For this project, the online survey method was chosen as the most efficient type of survey, with the ability to collect the best quality of data. Specifically, the online method can help to eliminate some social desirability responses since the participant can answer anonymously without the pressure of an interviewer being present. One issue facing many researchers is funding. Many surveys such as mail, phone, or self-administered require additional labor or materials. The online survey method requires only a computer and internet connection, to administer the survey and collect data, and the researcher's time, to input the questions into the online survey instrument, both of which are available to the graduate level researcher.

The online survey is particularly useful for this project due to the parallels between the computer, laptop, or tablet on which many of the surveys will be taken and the subject matter being asked

in the survey. Specifically, since the survey is collecting data on the motivations of cell phone users, in a college-age group of participants, a paper form of a survey would seem antiquated. The online survey will allow the participants, when prompted, to open their laptop, tablet, or computer from wherever they may be and answer the questions, collecting more top-of-the-head type information. Furthermore, Keyton (2011) provides a number of disadvantages when administering online surveys, e.g. identifying populations, computer security, web production skills, accurate e-mail addresses, however, these disadvantages are either nonexistent or have been eliminated by using LSU's Media Effects Lab participant pool, further making the online survey the best option for this query. The Media Effects Lab, in conjunction with the Manship School of Mass Communication, provides faculty and graduate students with participants to take part in the various research projects conducted in the school. In summation, the online survey option is preferred because it: allows for the exploration, description, and explanation (Adams, 1989) of the motivations of cell phone users; provides a low-cost option (Keyton, 2011); and provides a credible quantitative way of collecting data that has been vetted by the scientific community (Keyton, 2011).

However, the survey cannot fully explain the motivations and decision-making that might go into a decision such as texting and driving. Therefore, I will conduct a focus group to ascertain the subtle nuances that cannot be measured through the survey.

The focus group provides a way to explore the research questions in a way that can further understand the cognitive processes that lead to an action. For example, the thought process between seeing a billboard about safe driving and then seconds later answering a text message can be broken down in to smaller thought processes. Furthermore, the interactions between focus group participants can show how certain actions may be socially desirable or undesirable

(Keyton, 2011). This qualitative method is best for studying the “deliberation, dialogue, and democratic practice” within the group dynamic (Keyton, p. 292).

A particular advantage in using the focus group in tandem with a survey is the refinement of the exploration, description, and explanation (Adams, 1989). Taking the results of the survey into account, the focus group will help to clarify areas of responses that are of interest in the overall research design. For example, it is reasonable to expect that participants may, through survey responses, want safer roadways with less texting yet they themselves would still report texting or talking while driving. And while the survey can help to extrapolate some of the surface-level reasons for this, the focus group can dig deeper into what motivations are most salient when choosing to communicate via mobile device while driving a vehicle.

Consequently, the inherent flaws of this convenience sample must be laid bare. While the opportunity to use actual students as participants is of great value, especially for a graduate student, the difference between a college student sample and a sidewalk sample must be explained. The sample for the survey will be comprised of mostly 18-24 college students, leaving a wide portion of the cell phone population un-surveyed. Although the sample is quite narrow when compared against the population as a whole, this sample is well suited to help understand motivations as opposed to other groups if taken separately. For example, this age group is consistently among the top users of wireless internet, texting, and smartphone ownership (Smith, 2011). Additionally, novice drivers are prime participants due to their demographic often singled out as being more dangerous and thus needing additional constraints in the laws. As of February 2012, 30 states and Washington D.C. ban cell phone use by novice drivers. This demographic may be more willing to divulge usage if there is a certain amount social desirability bias. That is, a participant may experience a variety of interactions where a

mobile communication device is being used in conjunction with a motor vehicle, thus, the individual may feel his or her social group condones that behavior and may feel less vulnerable confessing illegal actions (Raghubir and Menon, 1996). The demographics, education, age, and major, may all work to further separate the sampled group from real world samples. An important point to note is that while the sample is convenience, the participants will be randomly selected from the subject pool population.

The survey will use close-ended response to collect demographic data and open-ended questions for the remainder of the survey. After the survey is administered through Qualtrics to the participants, the results will be evaluated using textual analysis software and the appropriate correlations reported. The second part of the inquiry, the focus group, will be administered after the survey in order to hone in on patterns and outliers found during the survey.

The focus group method provides a qualitative way to examine the deliberation, dialogue, and democratic practice that happens during the group's interaction (Keyton, 2011). The focus group allows the researcher to not only collect information from an individual participant but also collect how that information is perceived by the group. Using the survey as the broad stroke, the focus group can then paint a picture with intricate details not found in the survey, or other data collections methods. In summation, the strength of the focus group is the ability to collect data in a setting where participants offer their viewpoints relative to the viewpoints of others (Keyton, 2011).

I collected focus group data at two different times with two different groups. The first group contained 4 participants, three female and one male. The second focus group contained seven females. All of the participants were undergraduate students at Louisiana State University and

received credit for participating in a 1-hour focus group. Additionally, I conducted both focus groups to ensure that specific questions familiar to this paper were appropriately articulated to the focus group participants. Using the 50 surveys as a guideline, the focus groups then tapped into the deeper motivations for cell phone use while driving. The focus groups were conducted in a small conference room and each participant signed a consent form to participate.

The focus group method has been lauded as a wise method that enables researchers to provide rich insights into the motivations, meanings, and experiences of many different groups (Rakow, 2011). Additionally, Rakow contends that this method allows researchers to catch a glimpse of how people make sense of their world and how they interpret their own actions thorough the conversation with the focus group conductor and the group participants. This group process can also generate novel ideas not found in one-on-one interviews or survey questions, no matter how intricate or probing. However, Rakow warns that not all research questions are suited for the focus group data collection method. Some topics, such as sexuality, may not yield the same results in a focus group due to the individuals not knowing each other and thus not able to share with the group (Morgan, 1997). Additionally, if the topic is highly controversial or if there is likelihood that the topic may incite the group participants to anger then other methods like individual interviews or participant observation is preferable (Morgan, 1988). Ultimately, the researcher must explain the choice to use the focus group and show the clear purpose for choosing the focus group as a data collection method. A clear reason for choosing the focus group will allow the reviewer or reader to better assess the researcher's results.

The focus group was chosen generally as a way to collect a more specific data set than the one collected from the survey group. The reason this study used two focus groups was to not only collect additional data, but also identify any patterns of group-think among the different focus

groups. The topic of understanding the motivations of cell phone usage while driving is well suited for the focus group method because of the popularity of cell phone use while driving. This allowed the group to speak freely once the initial formalities about the widespread use was laid bare. The focus group allowed the participants to speak more freely about their motivations and experiences than the survey method due to the group dynamic of universal acceptance. Because the issue of law compliance is complex, the focus group also allowed for deviations in the focus group dialogue that were not originally built into the outline. These tangents could further explore outlier motivations that were unseen in the survey data previously collected.

RESULTS

A survey administered online through Qualtrics to 49 people collected preliminary data on the specific mobile communication device uses of the population that would be used to populate the focus groups. The survey collected preset categorical data on the age, sex, on/ off campus living situation, year of study, time spent driving per week, social networks used, length of cell phone ownership, and type of phone. Participants were then queried on ten open-ended questions about usage, utility, importance, law knowledge, perception of texting and driving, and a hypothetical situation where he or she could create a law to curtail texting and driving. All the participants that took the survey were between 18 and 22 years old with 90 percent being female.

Additionally, 88 percent of the participants lived off campus and more than 80 percent drive more than one hour per week.

I conducted two focus groups back-to-back and each session lasted about 40 minutes each. Focus Group 1 was comprised of 3 female participants and 1 male participant while the second focus group was comprised of seven female participants. Each focus group used the same outline as a guide for discussion and I conducted both of the focus groups. The focus group outline for both focus groups consisted of questions about general usage, texting while driving, social standards of usage, generation gap in usage, texting laws and source of information about these laws, effectiveness of law, and reasons for non-compliance of law.

Shared responses were present in both groups indicating some reliability among the two groups. However, each group responded to some questions differently and explored tangents differently thus giving each group distinct characteristics.

RQ1: What do college students know about texting while driving laws and where did they obtain this information?

This question was answered through the survey and the focus groups. The survey identified that college students are highly knowledgeable about texting and driving laws in general and that a majority of the information obtained about these laws comes from friends, parents, and news sources. The focus groups explored this question deeper and found that a great deal of ambiguity exists about what specifically the law restricts and allows, and where the participants originally heard about the law.

When asked whether the state of Louisiana or their home state had passed a no texting and driving law, all but 4 of the 49 participants reported they had heard about the law(s). A subsequent question asked about the source of the law information. Figure 1 shows that the sources were split between friends, parents, and news sources with the highest shared responses between news sources and friends, and friends and parents.

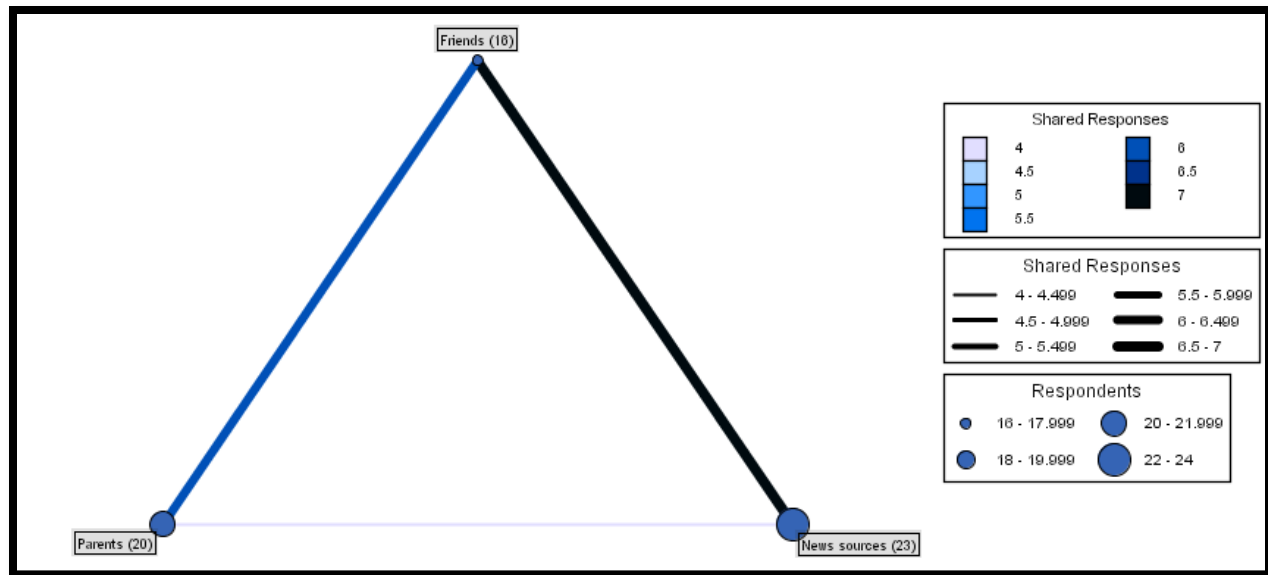


Figure 1. Source of law information. Survey respondents reported that the most popular source of texting and driving law information was friends, parents, or news sources with the strongest shared response between news sources and friends. The figure above shows the number of survey participants that reported that source as the source of information about the laws.

Drilling down into the participants knowledge of texting and driving situations, the survey asked them to report what they experienced when riding as a passenger with a person who was texting and driving, what they experienced when driving near someone they could see was texting and driving, or what stories they heard about texting and driving complications. Figure 2 shows the five most popular responses. The most popular response was ‘accident’ followed by ‘inattention,’ ‘slow reaction,’ ‘swerving,’ and ‘death.’ The strongest shared response existed between ‘inattention’ and ‘accident’ and similar shared responses existed between ‘swerving’ and ‘inattention,’ ‘slow reaction’ and ‘accident,’ ‘swerving’ and ‘slow reaction,’ and ‘slow reaction’ and ‘inattention.’ Each participant reported experiencing, seeing, or hearing at least one negative story about texting and driving.

Both focus groups reported that the amalgamation of devices and functions into a single device was partly responsible for the increased usage of mobile devices at all times, not just behind the wheel. The participants, from both groups, reported various sources for the texting and driving law information and these fell in line with the survey results.

However, the focus groups reported that a great deal of ambiguity existed about the original source of their information. They also reported that source credibility and type could also prevent usage to a certain extent. They explained that parents influence could curtail how they used the phone while driving since they perceived this source to be more credible than other sources. The groups' participants explained that a generation gap existed and this created two distinct sets of social standards. However, despite two sets of social standards existing the characteristics of the two groups were largely ambiguous. The groups also reported a great deal of self-efficacy or an elevated illusion of control. They reported that they, and younger generations of digital natives, or individuals that had grown up with these devices, were better at multitasking when the multitasking was with digital devices. One participant clarified this by stating that they did not think that they were particularly good at multitasking in general just when digital devices were the tools being multitasked with.

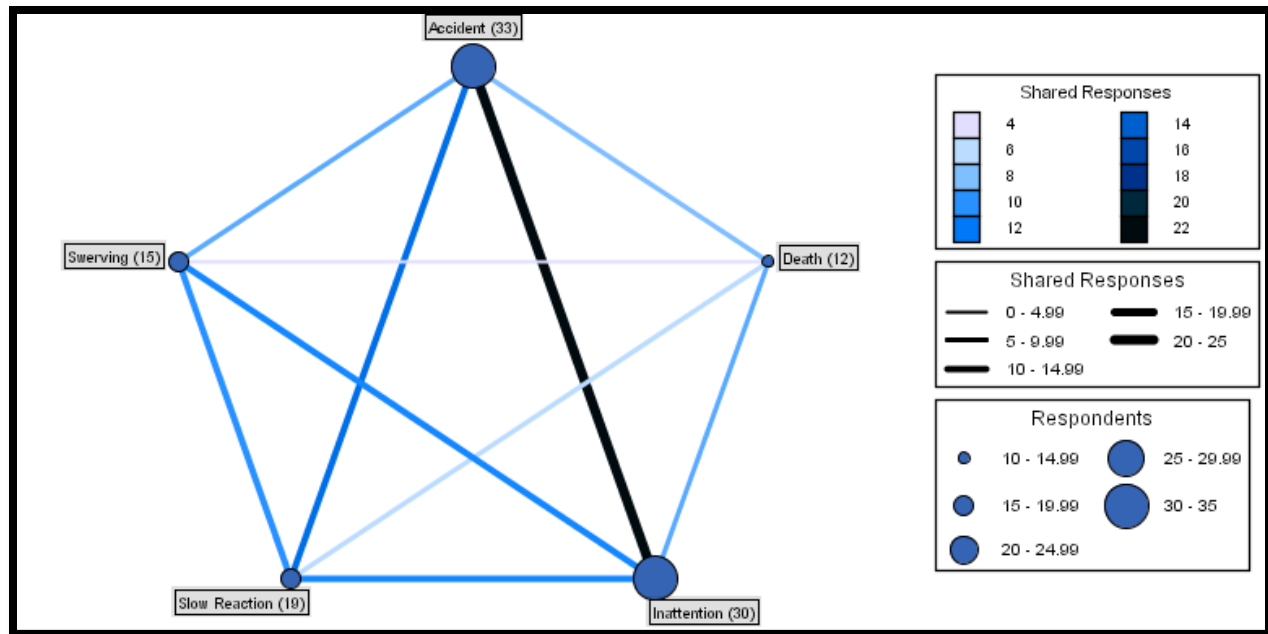


Figure 2. Experiences or stories heard about texting drivers. Respondents reported that they had heard or experienced texting drivers causing accidents, death, swerving and being inattentive or slow reacting. The most popular shared response was between accident and inattention. The figure above shows the type of story heard with the number of survey participants that reported that story next to it.

RQ2: How do social influences impact day-to-day usage of mobile communication devices while driving?

The participants were evenly split between freshman, sophomore, junior, and senior. Of the social networks used by the participants, Facebook was used by more than 95 percent followed by Twitter, Pinterest, and Linked in. Mobile phone ownership length was also high, with 84 percent of the participants reporting that they have owned a cell phone for more than five years and the remainder reporting ownership between three to five years. The first open-ended question asked the participants to describe how they use their cell phone. The results for 49 participants are shown in Figure 3 and show that four of the five most popular responses center on social uses with the fifth (apps) a catch-all for social and non-social uses. The strongest

shared response in which the participant listed both items is between texting and apps and texting and Facebook.

Participants reported that a social barrier to entry existed when feeling pressure to tell the driver that he or she should stop texting and driving. This translated into a delayed reaction where a driver would need to make a slight error in driving, i.e., running off the road, swerving, etc., before the passenger would say something. The participants reported that texting and driving behavior could be decreased through relatable advertising and public relation campaigns, increased penalties and enforcement, and an all-around increased salience of the idea that accident, injury, or death could happen to the driver regardless of self-efficaciousness.

The participants in the focus groups reported that the uses for the current generation of mobile communication devices or smartphones, are growing. This amalgamation of devices and uses is quickly dissolving single use devices into a single panacea of the digital world. Participants explained that “you really need a smartphone to really interact fully,” and expressed that “I can’t imagine my life without the internet at my fingertips.” The participants reported that many of the uses of the phone had replaced what had been done previously on a laptop or desktop computer, thus indicating that the smartphone could replace even the smallest laptop, netbook, or tablet in the near future. They cited the usability factor as one determinant explaining that “everything is so easy with smartphones.” Participants reported that they had used their phones to finish term papers, go shopping, navigate via GPS, surf the internet, and one participant reported, “I sell things on eBay on my phone, I don’t touch my computer anymore.” They also indicated that as web sites become more optimized for small screens or cellular data and peripherals become more available, this would prompt more people to begin to use one device for all uses. One participant explained that the traditional laptop was better for sitting and looking at web sites, research, or

face-stalking (Facebook stalking) since on the phone they would “sometimes get annoyed about zooming in and zooming out and clicking on things.” Participants also expressed a distinct generation gap for social standards of mobile communication device usage. One participant explained, “I think teenagers are a lot more tolerant of it [phone use in social settings]” when describing the difference between the younger, digital natives, and an older generation. “My parents hate that anyway, they just don’t think you should text in anyone’s presence,” one participant said. “The older generation, they’re going to feel really disrespected.” Some of the participants noted that social norms are highly situational, stating “I think the format of the situation changes the norms of cell phone use, or what’s appropriate at what times.”

However, the participants expressed frustration about the fractured attention of mobile communication device users, explaining “I know it’s like really annoying when you ask someone a question and they’re like, ‘huh? What, did you just say something?,’ and that’s just the most annoying thing.” They explained that when the issue is made salient, i.e. personal experience, it prompts self-regulation. “I try not to do it, I probably answer one or two texts if I was in a conversation before I got there than I would just finish it off ... I would try to make it short,” said one participant.

The participants indicated that while extreme examples of texting inattention would make the issue salient and prompt self-regulation, in the end they noted “that bothers me, but I’m guilty of it too” indicating that any social standards set could easily be overridden.

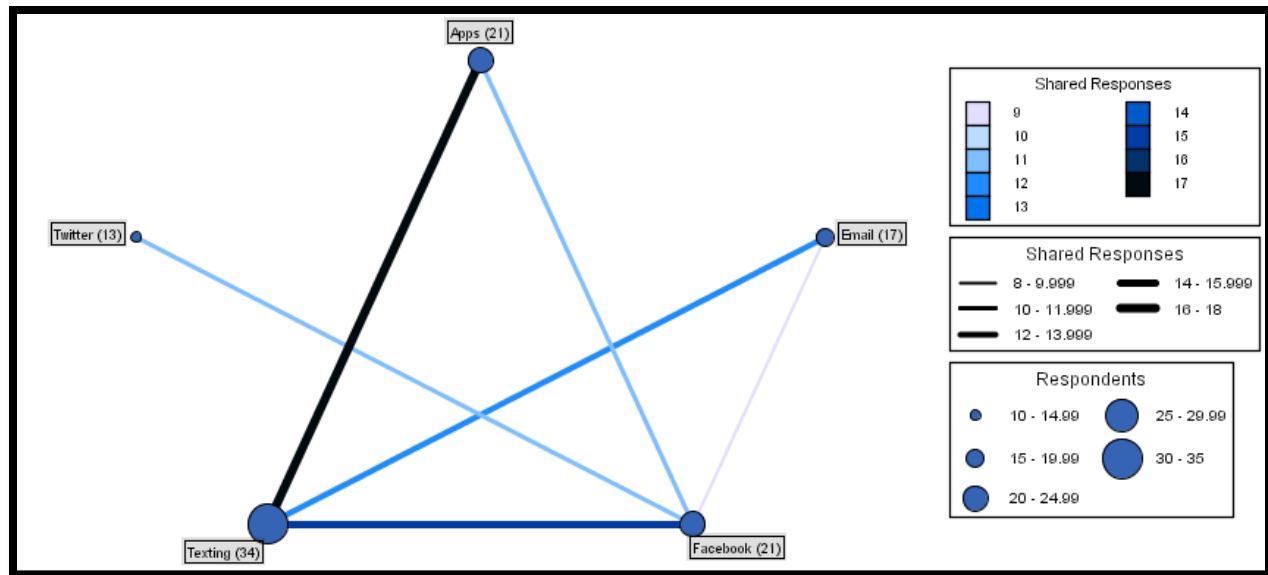


Figure 3. Cell phone uses. Respondents reported that the most common uses for the cell phone were Twitter, texting, Facebook, email, and Apps. All of the most popular uses are social utilities except for apps, which represents a catch-all for social and non-social uses. The figure above shows the particular use with the number of survey participants that reported using that item. Participants reported texting and apps most frequently together.

RQ3: How do texting laws influence day-to-day usage of mobile communication devices while driving?

The focus groups expressed a significant amount of ambiguity about the texting and driving law restrictions as well as the efficacy of the law. One participant explained that “I’ve heard of people getting tickets, [but] I’m not really sure how they catch you.” Others explained, “I knew that you could get a ticket for texting, I didn’t know they could pull you over for just texting,” indicating that they didn’t know whether the ticket could be issued as a primary or secondary offense. Others simply explained that they didn’t think law enforcement was doing a good job of issuing tickets for the offense leading to more texting and driving in Louisiana than in other states. One participant explained, “if they [law enforcement] started enforcing it, there would be

a lot less people texting on the roads.” One participant said that the consequences for the behavior would have to be significant enough to prompt the driver to think about what he or she was doing before engaging in the behavior. This participant indicated that the habitualization of the action had created a high barrier where the driver was no longer consciously evaluating the outcome of the action. The participants indicated that few obstacles stood in the way of texting and driving, specifically from law enforcement. Texting and driving laws were reported as being ineffective and unenforceable, while one group gave elaborate ways to evade ticketing by law enforcement for suspected non-compliance. For example, even when law enforcement presented a challenge to texting and driving the participants reported that they felt confident that they would be able to delete the text, lock the phone, or “outsmart” law enforcement. They indicated that advertising and public relations campaigns were also ineffective due to a lack of emotional or personalizing cues in the messages. A participant explained that using the drinking and driving ads as an example where graphic images show the consequences of drinking and driving in an emotional plea would not be effective if replaced with a texting and driving campaign. They said that it fails to appeal to the younger audience, which the participant explained is “the problem right now.” The group explained that the younger generation of digital natives has grown up with cell phones being a daily accessory and this has translated to a high degree of self-efficacy and even less self-regulation.

H1: Information about texting and driving is obtained through social networks and vicarious knowledge accumulation.

Hypothesis 1 was supported. The participants reported that much of the information they had obtained was not based on a trial and error basis but from vicarious learning. Knowledge about the laws and consequences was obtained from parents, friends, news sources, and other various outlets.

H2: The social need to use a mobile communication device while driving will outweigh the legal ramifications.

Hypothesis 2 was also supported. The social pressures and norms of 24-hour connectivity dictated that participants respond to communication even when behind the wheel. However, the ineptitude of the texting and driving laws led to little consideration about the action while driving. Poorly crafted laws and the digital natives' hyper-social norms created a perfect storm where deficient self-regulation existed uninhibited.

DISCUSSION

The participants reported in the survey that they heard about the texting and driving laws from friends, parents, and news sources. However, the focus group participants had trouble identifying the original source of the information. This ambiguity in the focus group shows that the survey answers may have been answered based on a social desirability standard whereby respondents picked a likely answer as opposed to a completely known answer. However, there is little reason to doubt that they actually heard about the law in general, just the source of the information is in question.

This ambiguity about the source of the information supports the responses the participants gave about the laws in general. There was a significant amount of confusion in both groups about what the law actually restricted, how it was enforced (primary or secondary), and if the law had even been passed in Louisiana. The ambiguity of the source tends to lead to ambiguity of the laws since the source of information is fractured between credible and non-credible or vicarious and direct.

The knowledge about texting and driving laws also appeared to be lurking just below the surface of active thought process. Respondents reported that they knew of the laws in general, knew of some of the dangers, and had experienced or heard of hazardous situations when texting and driving was involved. However, this collection of knowledge lacked the catalyst needed to activate self-reflection. This concept can be further explained through the elaboration likelihood model whereby attitudes are formed and changed by what type of cognitive process is used. Elaboration likelihood model explains that cognitive process happens in a central route or a peripheral route. The participant's responses indicate that the much of the new information

received about texting and driving is processed through the peripheral route and that this new information fails to stimulate active thought processing or processing through the central route. Furthermore, when this information was activated in the focus groups the participants not only offered a myriad of articulate and intelligent feedback, but the participants expressed a sense of remorse and guilt for not engaging and limiting siblings and friends from texting and driving. When asked why they didn't currently do an action that could limit texting and driving, such as telling a friend to stop texting, or offering to text for someone that was driving, the responses were that they would do it today. This indicates that the logical steps are available to drivers, but are either not activated or overridden.

Common information that was not activated, or lurking information, was further obscuring by the fractured information sources. However, the participant's self-efficacy further suppressed any information that might be used in active thought processing and perpetuated the idea that these actions are not dangerous. The participants explained that the current generation of digital natives was the real problem, not the older generations of texters, or digital immigrants (Prensky, 2001). They explained that like walking or breathing this current generation of digital natives operated these devices with an almost appendage-like efficiency, thus, using these devices in any situation operated at a habitualized level that failed to activate any self-reflective capacity. In fact, many of the participants reported that they were well equipped to be efficient at multitasking on digital devices, but they noted that they were not efficient at all types of multitasking – just digital devices like cellphones and computers. However, according to recent studies on cognition this notion of efficient multitasking is simply not true (NHTSA, 2012; Lazerow, 2010). This is further explained by the fact that 84 percent of the respondents reported

that they had owned a cell phone for more than five years, indicating that the action of using the device and many of the functions on the device were happening at the habitual level.

The participants reported that the social utility of the phone was the bulk of their usage and provided an impetus to use the phone at all times. They reported that social norms contributed to this usage since friends and peers perceived it as rude when communication was not answered immediately. They expressed that distinct social norms existed between their generation and the older generation (not digital natives). These norms could, at times, dictate usage if the situation was more formal and if it was with a professor, parents, or an authority figure. It is important to note here that the other person in the situation can dictate usage if the action is deemed undesirable by that person, indicating that some level of self-reflective capacity is happening in some situations. This is an important concept that needs to be explored further. If a parent or professor can activate active self-reflection then why is it that knowledge about personal injury, death to passengers, or driving record infractions not able to do the same?

The texting and driving laws also drew unique responses from the participants about their perceived effectiveness and the perceived capability of law enforcement. The problem with the current law centers around two issues: law wording and enforcement. The participants reported that the texting and driving laws and the law enforcement threat did little to curtail the action. Their self-efficacy also played a role in the perceived effectiveness of law enforcement. They explained that their skill with these devices led them to not respond to threat of law enforcement, further indicating that the generation gap set much more than social standards, it sets standards of law compliance as well. Law enforcement set no barrier to texting and driving because law enforcement lacked any skill that could trump the skillset of digital natives.

This is a problem with not only law enforcement, but with the tactical maneuvers law enforcement has at its disposal. In many cases, the public doesn't know about these maneuvers. For example, states can subpoena phone records that precisely pinpoint when a person is texting. If the public knew that a law infraction could elicit a subpoena for their phone records then people may be more inclined to not text and drive.

Hypothesis 1 was supported since the participants reported that the information about texting and driving laws was obtained from social networks and vicarious accumulation but not from direct experiences or response consequences. The information conveyed by the participants described knowledge accumulation through social modeling, observational learning, and inferred knowledge based on the skills acquired from being a digital native. However, this information was largely fractured, as mentioned earlier.

Hypothesis 2 was also supported since the social need to text and drive outweighs the perceived legal impact. However, the social need to communicate and the legal ramifications represent not two distinct opposing sides but a continuum where the deficiencies of one part reinforce the other parts. The deficiencies of law enforcement and the wording of the law reinforce the continued abuse of the law while the digital native's perceived self-efficacy is increased.

Additionally, the focus groups talked about the issue of drunk driving with regards to how policy deters motorists from performing this action while driving. Participants in the focus groups explained that tangible enforcement is a large deterrent of drunk driving and that knowing about the enforcement methods helps deter as well. While the participants noted that individuals that want to drink and drive will probably do so regardless of the consequences, for many individuals a high barrier to entry exists because of the jail time, monetary loss, and criminal record. Ross

(1992) explains that drunk driving was one of the major social problems of the 80s and 90s in not only the U.S. but in most auto-dependent countries as well. He explains that academics have studied the efficacy of laws and policy in how these tools have curtailed this social problem. The issue of drunk driving during the 80s was given the same title of largest factor contributing to auto accidents as distracted driving, or texting and driving, is given today. Ross explains that policy aimed at deterrence is an important factor in the reduction of drunk driving, however, these are coupled with citizens' movements that seem to add another level of enforcement to the policy. Additionally, drunk driving deterrence policy faces many of the same problems as texting and drive does today, specifically the issue of capture and punishment of offenders. Ross explains that literature on drunk driving policy suggests that a major flaw is that offenders believe that they can avoid arrest or simply won't be caught. These few similarities between drunk driving deterrence policy and texting and driving policy show that lawmakers can use the lessons learned in the 80s and 90s about how to stop drunk driving and apply them to the social problem of texting and driving today.

If texting and driving is to be curtailed then the issues of perceived self-efficacy and misinformation must be addressed. Self-efficacy in digital natives can be address by an information campaign that explains how law enforcement can find out if they texted whether or not they see the text on the phone itself. Additionally, if more tickets were given to motorists via checkpoints and non-texting campaigns then this would help to re-correct the misinformation that is currently running rampant. Furthermore, legislators must be diligent about writing laws that are not simply reactionary but future reaching as well. The current law on texting and driving fails to address many of the functions that the current generation of smartphones can

accomplish. The problem with texting and driving must be address on all fronts if the action is to be curtailed.

CONCLUSION

Understanding motivations of law compliance and mobile communication device behavior is important for allowing the legal community and communication researchers to react appropriately to the changing process of mobile communication device diffusion and usage. The findings of this study suggest that texting and driving usage is widespread among the 18-22-year-old age group due to the lack of mediating factors affecting self-regulation. However, the mediating factors that should lead to behavior evaluation are not non-existent but ineffective and poorly executed. Legislators and the legal community should account for the rapid development of technology by crafting laws that encompass the full uses of mobile technology that would allow the law to be properly enforced. Information campaign managers should carefully develop public relations and advertising campaigns that speak to parents and pre-drivers since as this study suggests that habitulization happens during the pre-driving years with digital natives.. However, knowledge about the laws and dangers of texting and driving exist in high percentages indicating that a clearer information campaign would prompt already existing knowledge and increase law compliance. This study posits that motivations to use mobile communication devices exist simply from the amalgamation of devices, social standards of digital natives to stay in continuous contact, and lack self-regulating factors. It seems futile to change communication habits since evolving communication technologies will undoubtedly prompt further communication. However, the transactions that happen between individual, mobile communication device, and vehicle can be successfully moderated so that this triadic relationship is less harmful to all motorists.

LIMITATIONS OF RESEARCH

Several factors exist that limit the validity of the current study. First, the results are only generalizable to college students, specifically 18 -22 year olds. However, this age group is important since it represents, for many of the participants, the first time they have been free from parental control. Second, the generation gap was reported by both survey respondents and focus group participants. Since I am slightly older than the focus group participants the responses may have been different if a person from the age range of the participants was conducting the focus groups. Finally, LaRose, Lin, and Eastin (2003) contend that results can differ among populations of novice users. This is particularly important since the respondents are experienced users of MCDs yet novice drivers and may indicate that in populations above and below the surveyed age range vast differences and usage patterns exist.

IMPLICATIONS FOR FUTURE RESEARCH

As mobile communication devices reach further into our lives the issue of mobile communication devices in vehicles will need to be explored more fully to explain addiction, behavior change, law compliance, and usage patterns. This thesis looked at only one of these areas in full. However, the area of law compliance is vast and critically overlooked. This micro-field at the crosshairs of law and social science will continue to be important to those interested in how media is consumed through mobile communication devices and laws that seek to constrain that usage.

The findings presented here pose two challenges to future researchers. First, while LaRose, Lin, and Eastin (2003) posited that media addiction is complex and not fully understood they failed to address many of the mediating factors that can compound self-regulation. Law is certainly a complex compounding factor that needs to be explored by social scientists as mobile communication devices become more invasive and encompassing. Similar to the drunk driving laws of the 1970s, society will demand that the area of mobile communication devices be understood so that law makers, citizens, and manufacturers can understand how to deal with these devices. It's the job of social scientists to examine media consumption on mobile communication devices and the mediating factors such as law that compounds usage in certain instances.

Second, it appears that the intersection of law and social science needs more inspection than it is currently given. If the purpose of these laws is to constrain the use of mobile communication devices while driving, then somewhere along this path from problem to solution there is a broken link. This presents a tremendous opportunity for legal researchers and social scientists to develop

a seemingly new area for research, where the laws created can have some real potency and solve the problems they are intended to solve instead of being exploited and circumvented by novice drivers. Collaboration by legal researchers and social scientists could potentially explore how wording of laws, inclusion of illegal functions, penalties, and motivations for compliance are interconnected instead of treating the process from problem to solution as individual links instead a continuous chain of connected processes.

This study presents the canary in the coal mine of the future problems that will have to be addressed as smart phone penetration inches closer to one hundred percent. The problems presented here are of critical importance in countries such as the U.S. where driving is a daily task for almost every individual.

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APPENDIX A

Survey instrument

1. The study has been discussed with me and all my questions have been answered. I may direct additional questions regarding study specifics to the investigators. If I have questions about subjects' rights or other concerns, I can contact Robert C. Mathews, Institutional Review Board, (225) 578-8692, irb@lsu.edu, www.lsu.edu/irb. I agree to participate in the study described above and acknowledge the investigator's obligation to provide me with a signed copy of this consent form.
2. What is your age?
3. Please indicate your sex.
4. Please pick your housing situation.
5. What year of study are you in?
6. How much time do you spend driving per week?
7. What is your permanent residence?
8. Please pick any and all social networks you currently use.
9. How long have you owned a cell phone?
10. What type of phone do you use?
11. Why do you use your cell phone? Please include all functions, including apps, social networks, texting, etc.
12. Do you think of your phone as a social device (Facebook, twitter, texting, etc.)? Explain.
13. Do you think of your phone as a tool (use it to make phone calls, use the calendar and other organizational functions)? Explain.
14. If you had to choose between your phone as a social device or a tool, which would you say is the primary reason you use your phone? Why?
15. How important is your cell phone to you? Please talk about how often you use your phone each day and your motivation for using your phone.
16. Some states have passed laws limiting how drivers can use their cell phones while driving. Have you heard about any of these laws in Louisiana or any other states? Explain what you have heard.
17. If you have heard of these laws, where or from whom did you hear about them?
18. Please explain what you've experienced when either driving with someone who was texting or driving near or behind someone whom you could see texting. Can you give any examples of stories you've heard about texting and driving that have caused an accident?

19. What do you think should be done, if anything, about texting/ using a cell phone while driving? Do you think more people are texting and driving now than in the past?
20. If a state senator came to you tomorrow and asked you to create a law that would get people to stop using their cell phones while driving, what would your law look like? I.e., fine, penalties, suspensions, points, etc. Explain why your approach would work best. Or, do you think a law isn't the way to go to manage cell phone use while driving? If so, why not?
21. Any other comments you'd like to add about general cell phone use, texting and driving, or the use of laws to control cell phone use in cars?

APPENDIX B

Focus group(s) transcript

Participant: I'm _____. I just recently got the iPhone, so now I'm on it all the time. Moderator: You got the 4S? Participant: No, I just got the 4, because I didn't want to pay for the series. Moderator: I did the same thing. Participant: And then the extra 100 bucks just for that. Moderator: It's not worth it. I didn't think it was worth it, yeah. Participant: I talk on the phone when I'm driving. I usually try not to text. I'm on the internet. I email and Facebook all the time. Moderator: So you say, you don't while you are driving? Not much? Participant: Not texting, but I talk on the phone when I'm driving. Participant: I'm _____. I'm Public Relations, and I have the iPhone 4, too. I got it before the 4S, and I didn't upgrade. I talk on the phone and text. I don't have a car on campus, so I don't have that problem at all. But my parents are extremely strict about it. They have caught me before, in high school when I was driving at home, texting while driving. They would test me and call me while they knew I was driving to see if I'd answer, because they were extremely strict about it. They threatened to take away car privileges if we were caught talking or texting, so I don't while at home. I use it daily for email and looking stuff up online, basically. Moderator: So your parents contributed quite a bit to you not... Participant: Definitely. Participant: I'm _____. I use my phone all the time for texting and calling. I don't text while I'm driving, but I just put my phone on speaker and I'll talk. I'll get emails, and I have the Blackberry to have Blackberry messages. I'm always texting. It's kind of like an addiction. Moderator: It is, yeah. Do you do more texting or phone calling? Participant: Texting. Moderator: I see. Participant: I talk on the phone a lot. Moderator: Do you? Yeah. Participant: With certain people I text. I pretty much call my parents, because they aren't very good at texting. I just don't like waiting long. Moderator: Yeah. Participant: But with my friends I usually just text. When it's too long to text, I just call. Moderator: Yeah, and you'll know when someone wants to stay on the phone having a conversation as opposed to a text. Texting is very popular, and so everyone wants to text. But I've started just calling people out of the blue that I would normally text, just as a relationship-builder, instead of. I'm trying to get out of the habit of always texting because you lose that voice part of the relationship. Obviously it's all around us. What do you think about the cellphone? Do you see it growing, continuing? Do you think everyone is going to have a smart phone pretty soon, or what are your thoughts about... Participant: The phone companies are almost forcing you to get a smart phone. Before I had the iPhone I had other ones, slide phones. Those don't last the two years. They break. They aren't made as well as they used to, because they want you to get the iPhone, Droid, Blackberry, or whatever the smart phone is. Those are really the only ones that last two years. Moderator: They are almost [inaudible]. Participant: It's not really the phone companies. It's the phone companies too, but everything else. You can have clickers on your smart phones now. They have alert

systems. It's a lot of things where you need a smart phone to be able to interact fully in whatever you are immersed in, I feel like. Participant: I can't imagine my life without internet at my fingertips any more. My freshman year, I had a regular phone without internet. I would go to classes that were cancelled, but I hadn't seen the email, because I had been gone from my dorm room all day, and I didn't bring my laptop. So it's things like that that I can't imagine. I check my email every half hour now. I can't imagine not doing that. Participant: We have got used to- everything is so easy with smart phones. Moderator: So it's the coalescing of all these devices into one. It's a video player. It's an iPod. [inaudible]. At UF that was my iPod, and then I just had a little regular bar phone, like you had. So now we have all these devices into one. Not only is it just all these devices, but all the different time slots that we used before, watching a video. It's all in this one device. All that time that was fractured before has come into one thing. So that contributes a lot too. What about the usage? We talked about it a little bit before. I'll give you a scenario of what I have experienced going to lunch or dinner a lot. People will be on their cellphones, constantly, going to dinner. Like when you sit across from them. That really kind of irks me a little bit. Are there any social standards or etiquette? Participant: I feel like most people don't mind. But I really mind. Especially if I am having a conversation with someone. They just think it's fine to halfway listen while they are texting someone. I feel that I am being put in second place below the cellphone, and I'm here. That person is on the other end of the phone and so they should be second. Again, with my parents, they sound like crazy parents, but they don't let us text at dinner. My mom has taken away my sister's phone in restaurants before, and she is a senior in high school. They just really don't like it. They are pretty old-fashioned, like that. I think that's where I get it from. I think teenagers are a lot more tolerant of it. When I am riding in a car with someone, it's less face-to-face type of interaction. So if there's a lull and I'm the one who is driving, because I don't text while driving, if they have a bunch of text messages, and they just reply when we aren't talking anyway, it's not that big of a deal to me. But my parents hate that anyway. They think you should not text in anyone's presence. Moderator: It's not the focus of what you are doing right then. When you are at dinner, it's like, I invited you or you invited me, so let's talk and have a conversation like normal people would at dinner. Participant: I think that I have probably done it before but I try not to. I know it's really annoying when you ask someone a question and they are like, What, did you say something? That is the most annoying thing and you are like, Do you want to leave? Moderator: Have you said that before? Have you said that to people? Participant: Yeah, I've definitely told one of my friends- she would always do that in high school. So we're having dinner and the waitress would be coming and she wouldn't even notice. It would just be annoying. So I try not to do it. I have probably answered one or two texts if I was in a conversation before I got there. I would finish it off, or if I have to talk to that person for whatever reason, I'll just try to make it short. Participant: I think we'll get upset but we won't get as upset as our parents. It's more of a generational gap. We're more tolerant of it. It'll just be annoying. They just aren't paying attention. But the older generation will really feel disrespected by it. That's the way I feel. Moderator: So it doesn't bother you if... Participant: It bothers me, but we'll be more tolerant of it, just because it happens more. If they

see it, they'll be like, This person's really disrespectful. But we're like, OK they're looking at their phone again. Moderator: So there's less social pressure to actually say something to the person? Participant: Just because so many people do it. It's not just like one person does it, whereas normally you could be like, that's not acceptable what you're doing right now. Moderator: So there is a mainly generational gap. I guess we talked about the laws before. What about the texting laws? Have you heard about any states or here in Louisiana? What have you heard? Participant: Just text and drive. Moderator: So do you know anything specifically for here? Participant: I've heard of people getting tickets, I'm not sure of how they catch you. But I have heard of people getting tickets, but I don't know someone personally. I think it was that they were probably speeding and also got a ticket for that. Moderator: A secondary offense. Participant: They didn't actually catch someone texting and driving, unless they like get in an accident or something. Participant: Can they pull you over in Louisiana just for texting? Moderator: Yeah, it's a primary offense. So, did you hear about the law previously before somebody told you about them getting a ticket? Participant: No, I had heard about it, because my mom will send me emails. Whenever there's a new law that she thinks I'll break, she'll send it to me in an email. I'm from Kenner, so she's like, Kenner Police Department sent me this. Moderator: Here's a hint, hint. Here's some more reading material for today. Participant: There was another one where you have to pull over for a cop in another lane. I didn't even know that. Moderator: Yeah you're supposed to give one lane with your car. So your mom pushed you on this. Participant: It's not like she tests me, but she sends me reminders. So I don't get a ticket. Participant: I'm not from here, ??? but at home it's not that big of a deal. Moderator: So where's back home? Moderator: She's always going to be concerned about your safety. Participant: You have to know that if you're doing this it's against the law and you can get a ticket. Moderator: Yep. Participant: I've had bad luck with that so. Participant: Me I'm not from here so I haven't. And back home it's not that big of a deal. Moderator: So where's back home? Participant: Honduras. Moderator: Where? Participant: Central America, Honduras. Moderator: OK. All right. Participant: So it's just mainly they won't stop you if you're like talking on the phone but... Moderator: Here it's not like that. Have you heard about the law here though? Participant: No. Moderator: You guys. Your parents obviously, right, they... Participant: They probably know the law. I don't know the specific law. I know I heard about it probably last summer or so, maybe two summers ago in other states and stuff like that. So I know it's probably illegal but I try not to do it anyway so I never really worry about learning the law. Moderator: Your parents are pretty proactive about many things. Participant: And I don't drive here that much anyway so it's not really important information. Participant: Yeah my parents don't have Smartphones so trying to even get them to answer a text or answer a phone while they're not driving they don't do it so it's really not a concern for them and they really don't worry about it that much because they don't do it that much to begin with. Moderator: Where did you hear about the law? Participant: I just found out that it was a primary offense. I didn't know that they could pull you over just for texting. Moderator: OK. Had you heard about it at all? Participant: Yeah I knew that you could get a ticket for texting. Moderator: OK. Participant: I just didn't know that they could

just pull you over for texting. Moderator: But where did you hear it from? Participant: I honestly couldn't say. It was probably in the news. Or, some of my friends were talking about it I'm sure. Moderator: OK. So now that you know about the law you'll be able to talk about. Obviously you talked a little bit about the enforcement. Is it problematic the kind of law that tries to stop someone from texting? Participant: I'm not worried about it. I think it's a good law actually. Moderator: You think it's a good law? Participant: I mean lots of people have been like killed or like in an accident when they've... Moderator: So you have heard about that, like stories about that? Participant: That's another thing. Like I've been sent videos of these people that would do like mock car accidents and stuff. And I think at my high school, I don't know if I was there when they still did this but they do like a mock car accident in the parking lot. And it's pretty graphic. Like they show the girl pretty much... It's an actor but they show her like lying down on the hood of the car like with a cell phone in her hand. So it's kind of like, it's scary. Moderator: So that made a real impression seeing a very visual, graphic demonstration of it? Participant: Yeah. Is calling illegal or is it just...? Moderator: No you can still call. You can still talk. Even though studies have shown there's no different like the cognitive use of texting or calling are the same, pretty much. So, I think Harvard did a study on it. Participant: I feel like we're distracted enough by everything else on the roads and our music and our friends in the car and changing the air and turning on the wipers in the rain that why do we need to look away from the road too? I think it makes a lot of sense not to do it. Moderator: Yeah. Participant: Yeah I also think it's a good law. I mean you'll get so like... looking at yourself while you're texting. Moderator: OK. So going back to how we heard about the law. Do you think the source of the information really matters? Like you talk about your parents, they made a real impact on you. Do you think if you would have heard the same information via news or friend it would have had the same impact on you? Participant: I'm not sure. I think if I would have heard it from news or from a friend who I consider informed I would have believed them and not done it. Because I don't do it anyway so it's not like I have to make a huge life-change to believe this law... or to believe this source and follow this law. So it's not that much of an investment for me to believe someone who tells me that's the law. And since I heard about it happening in other states it probably would have seemed natural no matter who I heard it from if that was now the law in Louisiana. Moderator: So your parents already had credibility with you obviously... Participant: Right. Moderator: So if they kind of... Participant: Right. Moderator: Yeah. Participant: I feel like no matter who you hear it from if you want to text while you're driving you're going to do it. If you don't want to text while you're driving you're not. Because like she said earlier, if you... no matter who you hear it from you're really going to think, How hard is it going to be for a cop to see me texting while we're driving past each other or while he's just driving? So if you really want to text I feel like no matter who you hear it from you're going to text while you drive. Moderator: OK. So that's a good point. So the law you feel like you can probably evade the law just like speeding or anything like that. Participant: Exactly. Moderator: So you always think, Maybe someone else is going to get a ticket but not me. Participant: Exactly. Moderator: I'm different. So do you think like seeing a crash or something like that, a mock crash or like a news story or something isn't

really that important on you? Participant: I mean I feel like it has some short-term effects but how many of those have people seen and they still do it? They probably won't do it for a couple of days, a week but then that new story won't have that lasting impression on them. Either way if you want to text, you're going text. Moderator: So what...? OK. So let's for one second let's kind of go over to maybe another issue that happened, they had to deal with 30, or 20 or 30 years ago, drunk driving. They got introduced and similar to texting and driving it was a big concern so they had to make laws. Why don't you drink and drive? Participant: DWIs. Moderator: Huh? Participant: DWIs. Moderator: So the law, the penalty deters you from drinking and driving. Participant: Yeah and I was hit by a drunk driver my first year here so I like kind of... See I think when it happens to you personally it will have a more lasting effect than like if you see it happen because then everyone... Like even if it's really graphic you'll be like, Oh, that won't happen to me. Or like, I can get away with it. The people that are like, I'm like a good drunk driver. It's just like, Really? Moderator: So everyone needs to get hit by a texting driver at least once. Participant: It's just like, I don't think that but I feel like that sometimes that's what it takes to get people to like get it. I don't know. Because like he said it's like short-term. People will be like, Oh, I'm not ever going to do that, and then or just like when you hear those people commenting about drunk driving. It's like, Oh I'm never going to drink alcohol again, and it lasts for like a week. Moderator: Yeah. Participant: You may not drive, drink and drive but it's like you'll still go out and like drink. You did that before. Moderator: Buzzed driving, right? Participant: Yeah. If you did that before you're probably still going to go back to it. Moderator: So one of the major... You're saying one of the differences is probably the law, how large the penalty is. Participant: And the enforcement of it. I mean over the last four years they've stepped up giving DWIs in Baton Rouge, because I'm from Baton Rouge. They've stepped up giving out DWIs in Baton Rouge astronomically. It's been ridiculous. I remember high school, I have older brothers and sisters in college and they really didn't have that problem. But really once I got into college is when they really started cracking down. And really none of my friends drink and drive just because they don't want to have to go through the \$2,000 and it will probably be a year-and-a-half process it's going to take to finally get it off your record. Moderator: So the penalty is kind of a good deterrent. Have you been in a car before when somebody's...? Obviously you were telling me you've been in the car when somebody was texting and driving and it was a scary situation? Any experiences? Participant: In New Orleans many times. I've had to tell people, Stop texting while we're on the road. Moderator: So you've actually just told them, Hey you're making me scared. Participant: Because I don't like having to look at the road whenever I'm in the passenger seat. That's not my job. Moderator: So you're checking, you're almost checking the road. Participant: Yeah, I'm... Moderator: Back-seat driver. Front-seat driver. Participant: Pulling one of these, you know? Participant: I never had like a close call or anything like a near-wreck with someone who was texting but if... I'll usually... It's kind of hard to say because it's kind of like you're being somebody's mom if you tell them to stop doing something that their mom wouldn't want them to do or the law wouldn't want them to do. Moderator: So there's like a social pressure not to... Participant: You don't want to say it but if someone... Like maybe if

we just got in the car and I know they're probably finishing a conversation or that kind of thing I'll have a little bit of tolerance for the people who text one time when we first get to dinner and then it's over I'll let them do that one text message. Obviously if they swerve or something then I'll tell them something on the first one but usually I just like to let the first one go and then like you said, watch the road for them and then if it keeps happening I'll usually end up saying, Hey you guys wait until we get there. Because we're usually not going very far and they can wait 10 minutes or 15 minutes if it's bothersome to me or worrisome to me. Moderator: So the social pressure of not wanting to discipline your friends... Participant: Right. Moderator: ...kind of deters you initially. And then if it gets severe enough then you're like, Hey, it needs to stop. Cut it out. Participant: I'll offer to even text for them. Moderator: Oh OK. Participant: I'll be like, Can I send a text for you? Like kind of giving them a hint like... Moderator: A very passive aggressive kind of... Participant: Or like, or you just say like, Hey why don't you wait until we at least get to a stoplight or something? Because I'm not going to lie, I check my text messages sometimes if I'm at a stoplight or in traffic, like not moving. That's when I'll like hear my text messages like I'll...because I'll hear it and it's like so tempting to just be like, Ding, ding, ding. Well, check it. But I think it's OK when you're stopped. Moderator: Yeah. OK. That's about the same thing...I did a survey for this before we did the focus group and that's kind of the usual point I'm getting from that too is, I try to say something but not always. If it gets severe enough. I'll read you a couple of them. I heard that a girl in my hometown died on impact after colliding with a car while texting. Participant: Always, you know, if it's severe enough to reach a couple of them. I heard a girl in my home town died on impact after colliding with a car while texting. I get nervous when I'm in a car with somebody using their cellphone while driving, only because I lost my first car due to texting and driving. And this one was interesting, my friend almost drove off a bridge while driving, so, interesting. Participant: [laughs] Participant: I know, right? Moderator: So, what out of this conversation, what information do you think is most important if we we going to try to change public opinion or convince people that this law needs to be looked at more carefully or paid more attention to it, if there was a nugget of information you could give them what would it be? What would be the most important thing to say to them? Participant: Like, you're saying for them to take it a lot more seriously. To take it more seriously, maybe to try to convince them to not do this activity while they're driving. Obviously, the best way is to step up enforcement, to write more tickets, that's probably the only way that you're going to do it, like she said unless texting and driving happens to be a personal, if you happen to have a crash where you get someone, you're really not going to stop unless you make a conscious decision not to. You're going to text and drive if you want unless you get a ticket. Then people will think twice about it. Participant: Yeah, the consequences are like such big of a deal that you're going to stop. Participant: Like a DWI. Participant: Yeah. Participant: So \$50 for a texting and driving ticket is not really... Participant: For me, if I hear my phone vibrating I just like glance at it and then I'll just throw it away, but I want to know who, what texted me, I want to know. Moderator: So there's a need for knowledge right there, a need for instant gratification almost. Do you think that drives a lot of deterrents? Like not paying attention to the law, is that more social pressure?

Participant: Yeah, I do. Because, I mean, if it's not that important I won't answer that, but if it is I'll ask my friend to text back or I'll just wait until the next stop, but I'm always texting. Not while driving, I'll glance at the phone just to see, because I need to know. Participant: Especially if you're in the middle of a conversation, because I hate when people won't text me back for hours. I'm just like, What happened, did you fall asleep? Or do you just not feel like texting me? So, I feel like pressured if I'm in the middle of a conversation with someone. If it's the first time they're texting you, then I don't know, I'm curious, but, I could have told them I was just driving. But if you're in the middle of a conversation they're, you know, waiting for a response and they're asking a question or something and want to know what you said, so it's like you really need to reply now. I usually, if my sister's in the car while I'm driving, I have her do it for me. Moderator: OK. So what would you do if you had to tell them one thing, what would you say to a friend? Participant: I know I agree that the enforcement and the punishment of money or something like that would be effective and I think the scare tactics work too, the mock car crashes or just knowing, similar to drunk driving how they kind of work with that. Show stories of what's happened to people and how easy it is to get distracted like that, maybe some information on what percentage of your attention to driving gets taken while you're texting. I know that the few times I have looked at my phone while I'm driving, I could be halfway off the road or something, it's so quick, it's crazy and I feel like it's probably a big percentage of your attention. Moderator: So if they made the knowledge, like a Harvard study showed that when you text and drive you're almost twice the legal limit, that's what your reaction time is slowed by, like if you're drinking. Obviously that's a big, big concern if your attention span is inebriated to the point where you're twice the legal limit, like drunk. You think getting more information like that out? Participant: I think so, I think that's kind of surprising for people who text and drive and feel that it's not that big of a deal, because it's just their right hand and their left hand is driving and they don't realize how much their attention is actually gone by looking at their phone. Moderator: What if there were more stories like this, more information, and this is from 2008, 160 people either died or were injured when a train operator was distracted by texting. Does that, something like that, if they did more press on stories like this would that influence you? Participant: I think that, like that thing about the 18 wheeler, a lot of people would just be like what, I mean, how often am I going to be driving a train? How often am I going to be putting 160 people at risk by texting? An 18 wheeler would have a much bigger impact on people. Moderator: OK. So it needs to be close to home, like her example. And that would have more of an impact, even if it was short term. And what if you saw that in multiple places? What if you saw it on a billboard when you're driving home, to increase sense of the idea? Would that be influential? Participant: Yeah, I think that they need to be things that get people to think that that could actually happen to them. Because everyone's excuse is like, that person messed up doing something different than me. Like, I'm a much better texter and driver than that person. That's what everyone says, like, nobody thinks it's like that bad. Moderator: They always think it's the other person? Participant: Yeah. Moderator: No, it's not me. I'm a good texter and driver. It's the other person that's bad. Participant: Exactly. Moderator: So, maybe a good solution would be

increased law enforcement and a public relations campaign for this idea. You think that's the most effective? Participant: Or even like documentaries, just like short things, like trying to influence people that's it bad and stuff, but like you said it's kind of short term, it's very shocking at first, but then like you just kind of slowly slip back into your old habits if you do it from the beginning. Moderator: So it constantly needs to be enforced? Participant: Yeah. You have to absolutely see things. I mean, that wouldn't be that bad to hear about, I think that's effective to maybe get to people, but like, you can't just show one story and expect everybody to be like, oh, I'm never texting again. I'm going to kill 160 people or something, because it's just not going to stick unless you keep repeat, like we talk about in PR, you have to repeat the message to people for them to get it. Moderator: Multiple mediums, that's working. And maybe it's localized, like the driver on I-10 that killed two people by texting, or something like that. A more localized, close-to-home kind of thing. Anything else you want to share? Are you scared when you get on the road ever? Participant: Maybe after I walk out of here. Moderator: That's good then. Possibly maybe you'll influence your friends more and talk to them. I'm scared often. Participant: Yeah, I can tell. We see people, like, my friend was just talking the other day, she said it's ridiculous, I'll like look around and everyone's facing down like this, like on the road. I mean, if you look, it's kind of scary because half the people on the road don't even look, they're not even looking anymore because they're all like this. Participant: It kind of forces you to speed up and get ahead of them so it's almost like you're driving riskier, personally. Because you say, I want to get as far away from them as I possibly can. Moderator: So it's a twofold problem? Participant: Exactly. I live right there in Boger Town, and it's scary for me, I constantly look around even after this, graduate school and studying this, constantly at lights like 15, 10 seconds extra because somebody's texting, so it makes me more aware of what's going on. (???) Participant: Drivers are notorious in New Orleans and pretty much Louisiana for probably, looking notorious for being horrible drivers. Participant: Yeah, no one is ever in a hurry to get anywhere. Participant: Yeah, it's like people that aren't from here, they're like, Why do you sit at lights? I don't wait. Moderator: Laissez-faire. [laughs] OK, well I appreciate you coming in. Thanks for signing up and I appreciate the feedback, all of this stuff will be going into my thesis, so thanks for signing up, and I hope you took something away from it as well. Take a drink or something if you want on your way out.

Focus Group 2

Moderator: My name is Jonathan. Participant: That's OK. Moderator: OK. Put in your mail number, see number. Participant: For your year of study we just put what year we are in school? Moderator: Yeah, senior and so on. Thanks. OK. So like I said, my name is Jonathan. I'm studying mobile technology and increased usage of phone technology and then the laws surrounding that. So that's what we're going to talk about today. About cell phones, some of the laws, usage, that sort of thing. So what I'd like for us to do first is just kind of go around, introduce ourselves. Say what your name is. Just first name is fine, it's anonymous. Just first name and then how much you use your cell phone during the day, what do you use it for, when

do you use it, anything else you want to throw in there that would be fine. So like I said, my name is Jonathan, I'm in graduate school here at Manship. And I've been studying this about two years now, this phenomenon. So I use my cell phone pretty much all day long, texting, phone calling let me see, Facebook. What else? Instagram. And I use it...I try not to use it when I'm with people, like when I'm having a conversation that type of thing, I will sometimes but I do use it when I'm driving sometimes too. So yeah that's...who wants to go first? Participant: Hi. My name's Bess, I use my phone every day, all day for texting, phone calls, email, Facebook, check the weather. I do use it when I'm driving. Yes I do use it when I'm around people too especially when it's like awkward and you just want to look busy. Moderator: Avoid conversation? Participant: Yeah. Participant: My name's Margaret. I'm studying PLR. I use my phone all day, every day. I sleep with it. I mostly use it for texting, Facebook. When I'm bored in class I'll play games just to relax, to download, I use it for email a lot. I don't use it for phone calls as much because I go through most days without calling anyone. Participant: My name's Bailey and I use my phone a lot for texting and I'm a big Twitter person so. And emails, everything. I don't know. I use it in class a lot, when I drive. Moderator: Now for the people who have already talked what about watching movies? iPod? Participant: Oh, I use it for iPod. I don't usually watch videos though. [??] Participant: I'm Christie. I use my phone all the time, all day. It's my alarm clock. I check the news a lot. I don't check my emails because I'll just read it and not like remember things and stuff so I try not to use it for my email. Just check out what's online and all that stuff. Participant: I'm Dawn and I use my phone all day in class and for emails and for Facebook. Participant: I'm Linda and I also use mine all day every day for everything. Moderator: Pretty much universal answer. So obviously I'm studying this because it's become an increasing phenomenon. Everybody has a Smartphone or most people have a Smartphone and like you said, you're on it all day long so it's obviously a significant part of our society and our culture. And obviously...Yeah, come on in. How are you? Participant: Good, how are you? Moderator: Good. You can fill this out afterwards but we're just... Participant: Sorry. Moderator: ...getting started. So what we're talking about is mobile technology, increased usage of cell phones, Smartphones, that sort of thing. And then we're going to talk about the laws surrounding that as well. Participant: Yeah. Moderator: So we went around the table we introduced ourselves and said how often we use our phone, what we use it for, that sort of thing. Participant: OK. I'm Kelsey. I always have my phone. I use it for my email probably more so than I use my computer for my email. Social media, online shopping, apps. I use my phone like a great deal. Moderator: Movies, iPod? Participant: No, I have...I use my old iPhone solely as my iPod now. I do use like Pandora on here. I don't watch any movies though. Moderator: So what we were saying was the reason I'm studying this is it's an increased phenomenon. Obviously it's a huge part of society. People are using it. So as a big part of society you want to study motivations, why they use it. And as it becomes more popular it starts bleeding into areas like driving, that sort of thing and then laws get made to try to counteract that. So we'll just go around, whoever wants to talk. Why do you think it's becoming more popular? Why do you think the usage has increased? What are your thoughts about it? Participant: It's easier for people

to get phones now than it used to be. Moderator: So price? Participant: Mm-hmm. Moderator: OK. Participant: Especially iPhones. Participant: Yeah. Participant: And it just has so much more stuff on it than before. Like old cell phones you can't...you couldn't really get on the Internet unless you paid a lot. Now it's like part of a plan. It's not as expensive as it used to be. Participant: Amount of information, it's like... Moderator: So amount of information on devices it's an iPod, it's a video, it's... Participant: A calculator. Participant: You really don't need anything else. Moderator: And it connects you through every medium to anybody right? And you can put a block on your phone [???] also. Participant: And you can have like a shopping list. I'll just put it on my phone and know what I need. You just put it in there and when I go to the grocery store it's right there. Moderator: I was waiting to hear that. The last focus group didn't say anything about shopping but it was primarily, not to stereotype but it was primarily girls. And nobody said anything about shopping on their phone but I know lots of girls they shop from it, right? Participant: Yeah. Moderator: I've seen them in class shopping from their phones. But they didn't say anything about it so. Participant: I sell things on eBay from my phone. Like I found eBay and I take pictures with my phone, sell it. It's like I don't touch my computer anymore. I mean it's solely for school now. I don't use it for...I use my phone 90 percent of the time for all of the normal activities I used to use my computer for like maybe three, four years ago. Moderator: So you would say it's starting to replace other devices? Participant: I think so, yeah. Moderator: You think...? Participant: It's more of a necessity. Participant: All I use it for typing and like writing papers and homework and stuff like that now. Moderator: So what if there was a little keyboard for your phone? Could you just get rid of the computer? Participant: There are. Moderator: Then there is. You would just... Participant: No, I like having a computer for some stuff. Like I don't like that it's so small and you can't... Participant: Especially when I'm in class and my phone is in my case and it's hard to type all your stuff in there. Participant: But I also like having Word. If I had Word I'd be contemplating...I mean it wouldn't replace it but I think I would like edit documents between like because like on the bus or whatever. Participant: Yeah I've written a paper on my phone once [???]. Moderator: So it kind of comes through in the clutch. Participant: I prefer to use my computer for most things. Like what I do online with my phone it's just to check something really quick and I'll like Google that but if were to like sit down and look at different websites or need to do research or if I wanted to go on Facebook and actually like effectively stalk people, I'll use my computer because I sometimes get annoyed at all the zooming in and zooming out and clicking things. And sometimes when I have too many things up on my phone it'll like freeze. And you'll have like text messages popping up when you're trying to do something else. So I like to separate it. Moderator: Do you think as websites and browsers and stuff get more universal and they get optimized for the phone do you think it will become that one product for everything when it can do that? Participant: I just bought an iPad and I'm like obsessed with it. Moderator: OK. Participant: Like it's basically what I have on my phone, I use it a lot but it's like faster and bigger and so it's nice. Like reading things. I still read the news on my phone but I kind of like reading from iPad even better. Moderator: Do you think the iPad, I was at South by Southwest this past weekend and I saw a lot

of people in the convention center, they had their iPad on a stand and they had their mouse and a keyboard attached to it. Participant: I've seen that. Moderator: And they were using it just like a computer. Participant: I've seen that. Moderator: Or maybe that's not how you use it. Participant: But I like using my computer just for school. The only thing is I have the bigger MacBook so it's like heavy. So like my iPad just to carry around and stuff. Moderator: What about...? We're going to go into a little bit different area. What about social standards for...either in groups or one to one. Like say you're sitting at the Five and you're having dinner with somebody or lunch with somebody and they're texting. Are there any kind of social standards for...? Participant: That bothers me but I'm guilty of it too. Participant: I feel like it's rude but it's like everybody does it. Participant: Everyone does it. Participant: Use that example of lunch. Like I think there are kind of social norms have developed. If you're at lunch, on campus it's not a big deal. But if you're at like dinner maybe with just one other person or with a group or like...I think the... Moderator: When you're in groups. When you're one on one. Like say you're sitting at the Fire, you're having dinner with somebody or lunch with somebody and they're texting. Are there any kinds of social standards for...? Participant: That bothers me but I'm guilty of it too. Participant: I feel like it's rude but it's like everybody does it. Participant: Everyone does it. Moderator: So just... Participant: I don't...Use that example at lunch like I think there are kind of like social norms that have developed. You're at lunch on campus it's not a big deal. But if you're at like dinner maybe with just one other person or with a group or like...I think the formality of the situation changes the norms of cell phone use or what's appropriate at what time. Participant: I agree. Like it doesn't matter whichever friend I'm with like one on one if we're eating dinner I'll text like around my friends. But if I was like one on one talking to my parents or a teacher or like someone of higher authority or like some sort of adult and the conversation was more formal or we were in a more formal place I wouldn't do it but it doesn't matter where I am with my friends. We text all the time. Moderator: So the situation depends on what you're saying is mainly parents or a faculty member. So you're talking about a generation gap then. Participant: Yeah. Moderator: So maybe older generation see it as more rude so when you're around them you want to... Participants: My parents always see it as, Why are you texting right now? And it's like, I'm not sure I should be calling people. Participant: And texting is a lot faster. I think like old people think it's really rude but I don't really think it's that rude because it's just like fast, real fast but you're still listening. As long as you're not having like a full conversation but yeah I text in class and sometimes I like feel bad but just like real fast, something quick. Participant: Like my mom she can't sit there and text and walk at the same time. Participant: Yeah. Participant: She will stop in the middle of her sentence and in the middle of while she's walking and text. And it's like we can pretty much walk, text and have a conversation at the same time while we're texting and walking and everything else. Moderator: OK. That's a good point. So do you think the generation that's grown up with Smartphones and multitasking they're better at multitasking than older generations? More efficient? Participant: I wouldn't say that we're better at multitasking I say that we're better at the technology, the multitasking technology. Participant: Multitasking with this resource. I don't think I would

phrase it as we're better at multitasking. We're better at multitasking with a Smartphone.

Moderator: OK. Smartphone, computer, whatever else. Participant: All the technology that they didn't have growing up. Moderator: OK. All right. Participant: Some people, like if I read a text, I can send it with my eyes closed like while I'm driving and like not even looking at my phone but like I don't really do that. Participant: I used to have a Blackberry and when I'd get really mad I'd just like walk around and not even needing to look down just like, just that. Moderator: So very efficient. Participant: Yeah, definitely. Moderator: So we're going to dive into another area. Texting laws. Anybody hear anything about that? Either this state, other states, in general. Participant: Didn't Austin try to pass like walking and texting laws? Moderator: So that's one that you heard about. Participant: That's one that I heard that I was like that's kind of pushing it. Moderator: OK. Why? Participant: So do you need to like walk on the sidewalk and step over and like stop, pause and text? I mean I guess if you're crossing a street, but on a sidewalk where the worst you can do is bump into somebody? Moderator: OK. Participant: So that's one that... Participant: You can be fidgeting in your purse or something, looking for something and bump into somebody. I don't think that there's a direct correlation with bumping into someone and phones. Crossing the street, yeah I can see that. Moderator: What about if there was a crosswalk law? Participant: That's more understandable, yeah. Moderator: Because you might get hit. Participant: Right. Participant: I'm from Ohio and we have a law like you can't text and drive. But it's kind of funny, one of my friends got pulled over and that happened but she just locked her phone until the cop showed, I'm sorry I couldn't get in my phone. I don't know... I just bought this phone like I can't get into it. And the cop bought it just because like we know like we know things, like we know you obviously set a password and you know that. But the cop was like, Oh, well maybe you should go back to the Apple store and try to figure it out. But like she didn't get a ticket or anything. So that's just like our generation outsmarting them not knowing so much about cell phones. Moderator: OK. So the law isn't really efficient. Participant: I guess it's just you can kind of get around it. Participant: I have like an opposite story. I'm from New York and it's illegal to text and drive and be on your cell phone while you drive. And I was in the car with one of my friends and she had her iPod, like an iPod like that, like it wasn't an iPhone connected to her car, whatever and she was picking a song. And we got pulled over for texting and driving. And she was like, I didn't even have my phone out. Like this is what I was using. I was choosing a song, playing my iPod. And she got a ticket and he was just like, It's the same thing. Moderator: OK. He said it was the same thing? Participant: Yeah. Participant: I actually think, I'm from Connecticut, we have the same laws and I feel like I used my phone in the car more when I came down here just because there the cops will pull you over so easily if you have a phone in sight so. Moderator: In Connecticut? Participant: In Connecticut, yeah. It's expensive. Moderator: OK. Anybody else? Participant: How much is that ticket? Participant: I don't know, like \$70. Participant: Wouldn't it be the same thing like using the radio? So are they going to start pulling people over for using the radio while they're driving? Participant: Well I think it's because you like have it in your hand. Participant: It's kind of like... Participant: You're not looking at the road so it's kind of the same thing. Moderator: Do you see using your

cell phone and changing the radio or eating or something else or putting on makeup, is that the same thing? Are those the same thing? Participant: No I don't think they're the same thing but I don't ever use my cell phone while I'm driving because my parents would absolutely kill me if something happened and I was on my phone. Participant: I use my phone a lot while I drive. Way more than I should. I'm from Louisiana and there's been like so many kids, car crashes, wrecks because they were texting and driving. All my friends are like that we're just on the phone constantly. Participant: I have a friend who passed away from that so that was kind of a wakeup call for me and all of my friends not to do that. Participant: We're kind of... I don't know. When I started driving I didn't have a phone that had texting capabilities I guess. So I think like the kids that are starting to drive now are going to have a lot more... You're going to see a lot more problems with that because they were 12 and they had a cell phone and they were texting while in like driver's ed, I mean they've just been texting this whole time. So that it's hard to break that habit when they start driving. I try not to text because I didn't learn to drive texting. These kids are going to learn to drive with a phone in their hands. Moderator: OK. So let's go back to yours. What did prevent you from texting and driving? When all your friends getting in crashes or others? Participant: It happens for a while. Like I know four kids it's happened to in the past five years. Speeding, texting and driving, not wearing your seatbelt. And we do it for a while and we stop sometimes and then it's like that passes and we don't think about it. Because I can sit there with my friend and we won't even have a conversation, we'll be on our phones all the time like when we're driving somewhere. Moderator: So you think about it for very briefly and then it just kind of passes. Participant: Yeah, it works for like two months. And then it's like, OK. Participant: It's probably like, Oh, that's not going to happen to me. I'm good at texting. Moderator: Somebody else. Participant: You can pay attention while you're... You think you can pay attention while you're... Moderator: Right you think you're a more efficient texter while driving than someone else. Participant: Yeah. Moderator: It's not me it's the other person. Participant: I think people try to make it seem better than it is like, I text and drive but I only do it at red lights and stop signs and when the road's straight. And stuff like that. Because like I have friends that do that too. Like he texts and drives and he's like, But only if the car is going really slow and like only when I'm stopped at a stop sign, and you kind of talk yourself into that you're doing it safely. But there really is no safe way to do it. Moderator: So they kind of make their own laws about when they think they should do it. Participant: Yeah. Moderator: Realizing that it should be curtailed somehow but they just kind of make up their own. I only do it at stop signs or like certain roads. What do you think about the laws in Louisiana? Does anyone know about them? So you can't text while you're driving. Participant: But you can make phone calls. Moderator: But you can use your phone. Participant: I don't think they're enforced. Moderator: OK. Participant: I never heard... I don't know anybody... None of my friends or friends of friends has yet to be pulled over for texting and driving. Participant: I mean I've been pulled over for speeding and he was like, I've been behind you for like half a mile now and you didn't see me. Were you on your phone? I was like, Yeah I was changing my music. He was like, OK. And then just gave me a speeding ticket and not one for being on my

phone. Moderator: Yeah, so the way the law is written in Louisiana. Participant: Yeah.

Moderator: An iPod was OK. Even though it could be the same device there's no way you could tell. Participant: I was still on the phone but I was just using the music. He had no way of knowing unless he saw you texting. Moderator: So essentially what you're saying is there's a problem with the law how it's written? Participant: There's no way to really fix it. Moderator: OK. Say a little more about that. Participant: I mean they can't be like, Oh you were texting. I guess they could if they see you on your phone but then it's not illegal to be on your phone just to be texting. Participant: But they can take... I don't know you can correct me if I'm wrong but I'm kind of... these laws have been coming up nationally state by state or whatever and so I don't know if it's how Louisiana ended up writing the law but in some cases they can take your phone and look at your time. Like you were saying your friend locked her phone so he couldn't look at it. Is that what you were saying? Participant: Mm-hmm. Participant: Like look at the time and say, I pulled her over at 12:56 and she sent a text at 12:54 she was obviously... She didn't get in her car a minute ago, she sent a text while driving. Participant: You can like also, like I've known a few people have challenged like if they've gotten a ticket and they brought it to court then they're like, I wasn't texting, because you can delete a text when the cops pull you over you can just like delete your text. But they can get a copy of your like... I don't know if it's like your bill with all your texts and that shows whether you deleted them or not so like they can... and if you challenge them in court they do have access to that. They can pull that up and be like, Actually, you just deleted your text because they're all right there. Moderator: So even with being able to do that that's not going to be a deterrent. Participant: I think it is. But like where I live I said like she, like my friend... Participant: but they can get the copy of your ??? or your text and that shows whether you've deleted them or not. And if you're a child dependent, they do have access to that. They can pull that up and be like, actually you just deleted your text, because it's all right there. Moderator: So even with them being able to do that, that's not going to be enough to turn it. Participant: I think it is. Where I live, she, my friend got a ticket for being on there, it wasn't even a phone, it was just a iPod, and they said it was the same thing. So I think most people when they get pulled over for texting and driving, at least where I live, they just take the ticket. Moderator: Instead of challenging in court. Participant: Right. It's hard to. If they know that they were doing it, it's really hard to prove otherwise. Moderator: Okay. But down here, once you're talking about here, it harder to enforce the law. What if there was an increase, one day, in checkpoints or cops hiding in bushes watching you text? Do you think that would increase ??? Participant: Yeah. To text right in front of a cop is asking for it. Participant: If they started enforcing it there would be a lot less people texting. Moderator: What about the penalties? If it was 25 dollars when you're texting, would that? Participant: That's a parking ticket. [crosstalk] Participant: (indistinct) all the time. So I guess ___ one. Moderator: So increased enforcement of the law. What about public relation campaigns, advertising campaigns? Do you think that would? Participant: No, because they have those for drinking and driving too, and you still get that. Participant: I don't know, there have been some effective drinking and driving Participant: There have, but it happens. It's still going to happen. Participant: But if it

deters one person, if you consider the fact that – I think that I have seen a few ads for don't text and drive, things like that, and it can't hurt. Moderator: Okay. With what you've seen, what's the problem? Is there a problem with the information they're trying to tell you? Is it effective?

Participant: I started to say, using the drinking and driving example and the ads that they have, a lot of them are traffic and they show that – they have a billboard of the accident and say this was a 16-year old cheerleader and she had a great life and she was killed by a drunk driver. It's always these emotionally driven, and I guess if they were to use the same thing and just come up with she was a 16-year old cheerleader and straight A's and she was killed by somebody who was texting. I'm not sure that that's going to resonate with the younger demographic. You don't have to be a certain age to text legally. You have to be a certain age to drink. So that emotional appeal, I think, kind of works with the 21 and up group or whatever. It's not really going to work on 12-year olds or on 14-year olds who are getting their permits, or 15 or 16. I think it needs to be more appealing to a younger generation. That's the, they're the problem right now.

Moderator: So let's go ahead and talk about that. How would you appeal to that demographic?

Participant: I don't know, I'd have to think about that. Participant: I think that our generation, the younger generation, is really a lot less sensitive than the older generation. Just because we've kind of like grown up watching violent things on TV. We're seeing bad things happen a lot. If you were to show the same video of a 16-year old girl dying to all our parents, it would be a lot more scary and have a bigger impact on them than it will on us. I think that's a really bad thing, but I just think we're so used to seeing people die and seeing a sad story. Participant: They have kids and they feel for the other people. We're – we imagine our friends dying and that's sad but we don't know how – for them it's their child dying. The younger generation has – somebody said earlier – when you think it's not going to happen. But I feel like if it's your children it would have the same effect, like it's not going to happen to me. Participant: I don't know if it's practical, but I think just not exposing your children to smart phones at an early age, so they grow up – my four-year old cousin knows how to work an iPad. Participant: Mine too. He can pull up an app and play a game on it. Participant: Right. He can download an app, spend money downloading apps. But just because they're going to grow up with it, and then they're going to get their license, they're going to think I've grown up with this. I know what I'm doing. I can text and drive. So I guess just enforcing at a young age not letting them have the smart phone the whole time. They're going to learn to text by the time they're six years old. It's giving them something that they grow up with and they are going to think that it is normal. And then they're not going to see the danger of it because it's ??? Moderator: So maybe an information campaign when they're younger would be more effective, not after they have already started driving, and using it, and using it for ten years. Participant: ??? texting and driving ???. She was really extreme, texting in a car and on the highway she'd run the wrong side. For me, when I text and drive, ___ realistic. I don't really use my phone to text when I'm on the highway. I do it when I'm sitting in traffic all the time, I will. So maybe more realistic things. Moderator: That was an advertisement you saw? Participant: That was a ??? video. Moderator: I didn't ask you before, but when you heard about this law, where have you heard it from? Participant: I didn't know that

it was illegal here. Moderator: Friends? Participant: Well, like some commercial (indistinct) Participant: I wasn't completely convinced that it would pass. I remember the potential, and then I think I stopped paying attention and never really was clear. Did that pass or did that not pass? I knew it's definitely a law in other states, but I wasn't aware of it when it was a possibility, when they were trying to pass it/ Moderator: Okay. So possibly a forbearance campaign that would cause you to know about it. Okay, what about any situations that you've been in when driving or when in the car with somebody texting? Participant: I had an accident; I rear-ended someone. Moderator: Because of texting and driving? [Participant: Um-hmm.] Okay. Participant: Because I had a red light and I just ran it. And when I told the insurance company, they kind of screwed me over. It was a lot more because I was texting and driving. Participant: I have a friend who does that. Moderator: And that really impacted you and changed you? Participant: Totally and completely. Because one of your best friends flipped his truck on his way to work and he was texting. Moderator: What about being in the car with somebody? Participant: I always text one of my friends. Or if someone is in a car with me, I lend them my phone and say send a text saying we're on the way. But my younger sister won't. She won't hand me her phone to text for her. Participant: My mom never gets mad; it's like normal. I've never been mad when someone is sending a text. It's normal. Moderator: What about if you were in the passenger seat and somebody ??? radically dangerous. Would you say anything? Participant: Yeah. Moderator: As soon as they started texting would you say something? Participant: I think it would take (indistinct) a little bit. Actually one of my friends doesn't give up her phone. She already asked me if I would reach over and steer for her while she texts. And I'm like in the back seat and can you put your phone down? Participant: One of my friends, I ??? and she'll look on Twitter. Who needs to do that? But a quick text, I'll just do it for her. Moderator: So it would take them swerving, possibly, for you to do something or say something. Why is that? Why wouldn't you, as soon as they pick up the phone and start texting, wouldn't you say something to them? Participant: Because you don't know. Maybe it's just an okay or something. You don't really know how long they're going to do it, maybe two seconds. Participant: It's just not watching the road the whole time. Like I'll text one word at a time and look up after it. If they were like this, of course I would ??? not. I do watch them, I'll see how they're doing when they're driving and I'll say something if it's Moderator: So as you see them texting you pay more attention to them. Participant: And a lot of people can text and not even look. You can do your text real quick and have your eyes on the road and be sending a text message. If someone was doing that and the car wasn't going everywhere, I wouldn't be yelling at my friend. But if they started staring down and you see it's drifting Participant: Which is like the same amount of time it takes to change the radio or do something else. Moderator: So if you had to convince somebody to – a friend or somebody – that texting was wrong, was harmful to them, what one thing would you try to impress on them? Participant: With my friends I would be really straightforward, like, here. Not like you really shouldn't do that; more direct. Participant: I think the sad part is everybody knows that it is dangerous. You all know the dangers of texting and driving. So I don't think telling your friends it's really dangerous and you can get into an accident. Because you know

that. The fact is already out there. It's just that a matter of – I don't know – sometimes something really bad happening until they realize ???.

Be a friend and sit in the car and be like, you're not going to do that while I'm in the car. I don't care what you do when you're driving by yourself, but when I'm in the car it's different. Laying out the facts over and over again and saying it's dangerous isn't helpful at this point, because I don't think there is one person out there who texts and drives who has not heard of the dangers.

Moderator: And what about, like in her situation, if there was a ??? like that that was close to you and made a difference to you.

Participant: Is it helpful at this point? I don't think there's one person who texts and drives and hasn't heard of the dangers.

Moderator: What about like, in her situation, there was a story like that that was pretty close to you. It made sense to you. It was really over and over. Would that impact your behavior? If you had a story of a friend who flipped his truck and died and then another story that kept impressing the danger on you would that eventually make you stop your behavior? What about the ??? What if it was closer to a DUI law?

Participant: I think it should be. I think there's been too many accidents and too many fatalities from it and people think they're better at texting and driving than they really are.

Participant: I think it has to be close to you for it to affect you.

Participant: Hasn't it been proven that texting and driving is ??? as being intoxicated?

Moderator: It is twice the legal limit.

Participant: It's not paying attention. No matter how much you think you are, you're not.

Moderator: So you think it needs to be more personal?

Participant: I think it has to be more personal. Three kids died on the same road as my house and the speed limit on that road for the past three years is like, sixty. They haven't lowered the speed limit. There's one kid paralyzed for the rest of his life. Two have died. We don't even go down that road anymore even though it takes us straight where we need to go because too many people have died and the speed limit is so fast. It has to be personal to you. Like for her, she doesn't do it because it's personal.

Moderator: So the law alone wouldn't deter you even if it was a year in prison or \$1 fine?

Participant: It would have to be extreme.

Moderator: Like a DUI law?

Participant: Yeah

Participant: I think the law is effective, or would be affected if it was enforced here for texting. I use my phone for a map a lot, because I don't have navigation.

Moderator: And that's covered under the law?

Participant: it is

Participant: So you can use that?

Moderator: Yes

Participant: How is that different from texting? They also tell you on your GPS when you turn it on that you shouldn't use it while driving.

Participant: If I'm looking at a map, I'm looking at my phone more than I am if I'm texting because you're seeing that little red thing because that thing's so off sometimes that you pass it up and then you go around and see exactly where you need to go.

Moderator: So there's really no solution, huh?

Participant: Well, they could make it talk.

Participant: I feel like when you're using a map it's more dangerous. If I'm using a map and I'm lost and a street comes up I'm like - I'll turn really fast. So I think that's why it's more dangerous.

Participant: It's really the same as using a real map.

Moderator: So let's get back to the nugget of truth. If you were really trying to convince somebody that they should stop?

Participant: Even if you tell someone it's not the same as when you're personally experiencing it, so they just really have to put themselves in that position of I'm going to lose my life because I said 'ok' to a text message or lose my friend's life. Most of the time the passenger dies and the driver stays alive. If

I knew that I killed my friend because I was texting I couldn't live with that. I guess thinking about that is the only way you can take it to heart. Participant: It doesn't feel real until it actually happens to you. Once it happens then you know that something really can. You hear all the horror stories about it, but you don't really care. Participant: ??? you as a friend or you as a passenger make it seem really important to you. Like I'm not getting in the car with you if you have your phone out, or I'm seriously considered about the safety of both of us. I will not ride with you if you text. If all your friends did that and made it a serious issue like I know we're friends, but I will take your phone from you. If you just made a really big deal about it like that, then maybe because it's so important to you and your refusing to ride with your friend.

Participant: I don't think it would take a lot to enforce it. I mean, if someone in my car was like I don't like it when people text and drive, I wouldn't fight it. I just wouldn't do it. My mom - she can't. I won't let her. She's a horrible texter and I'm like No, that's just not allowed!. Participant: I think I'm pretty good at not texting and driving. I use my phone for a map, like I said, or to find music or put Pandora on. My sister's terrible about it. We ride home together a lot to New Orleans and she usually drives. I think if we made a deal that we wouldn't text and drive and kind of make like a promise or a pact to each other. I don't know, I think that would also be effective for kids in high school. Girls are making pacts to get pregnant together, so why can't they make pacts that they won't text? Moderator: What would start you doing that, though? What would make you make that pact with your sister? Participant: Oh, I'll do it tonight. It's dangerous. We're competitive so, why not? It could be fun and effective and safe to not text and drive. Or you could be like I know you're on your way to school. I won't text you. I know you're driving I'll call her, but she's bad. She's a big texter. I think that could be effective. Moderator: So if there was a campaign to like, make a pact with somebody? Or when you know somebody has an [xx], don't text them. Participant: I think that would be really effective. Participant: Didn't Oprah start a no texting craze on a website? Participant: I think if someone like that of political [clout?] does something like that, then maybe people listen. It's only a matter of time until Apple - well they're probably already working on it- something's going to be done through the phone. I think for kids your parents can put a lock on their phone when they get in the car. Moderator: When it starts moving the GPS recognizes it. Participant: Another thing too, is that it's dangerous to have your phone locked so that you can't access it while you're moving. Every time I leave the house, my parents make sure I have my phone. Participant: Yeah, to call them, not to text them. Participant: Yeah, but to lock your phone? Participant: Maybe just lock texting capabilities. Participant: I'm sure they'd have it so you could make emergency calls because you know when you like, have emergency numbers? That's the only thing you're able to do on it. Moderator: So it's got to be more personal. Thanks for coming in. Participant: Thank you.

APPENDIX C – IRB APPROVAL FORM

Application for Exemption from Institutional Oversight

Unless qualified as meeting the specific criteria for exemption from Institutional Review Board (IRB) oversight, ALL LSU research/ projects using living humans as subjects, or samples, or data obtained from humans, directly or indirectly, with or without their consent, must be approved or exempted in advance by the LSU IRB. This Form helps the PI determine if a project may be exempted, and is used to request an exemption.

– Applicant, Please fill out the application in its entirety and include the completed application as well as parts A-E, listed below, when submitting to the IRB. Once the application is completed, please submit two copies of the completed application to the IRB Office or to a member of the Human Subjects Screening Committee. Members of this committee can be found at <http://www.lsu.edu/screeningmembers.shtml>

– A Complete Application Includes All of the Following:

(A) Two copies of this completed form and two copies of part B thru E.

(B) A brief project description (adequate to evaluate risks to subjects and to explain your responses to Parts 1&2)

(C) Copies of all instruments to be used.

*If this proposal is part of a grant proposal, include a copy of the proposal and all recruitment material.

(D) The consent form that you will use in the study (see part 3 for more information.)

(E) Certificate of Completion of Human Subjects Protection Training for all personnel involved in the project, including students who are involved with testing or handling data, unless already on file with the IRB. Training link: (<http://phrp.nihtraining.com/users/login.php>.)

(F) IRB Security of Data Agreement: (<http://www.lsu.edu/irb/IRB%20Security%20of%20Data.pdf>)

LSU

Institutional Review Board
Dr. Robert Mathews, Chair
131 David Boyd Hall
Baton Rouge, LA 70803
P: 225.578.8692
F: 225.578.6792
irb@lsu.edu
lsu.edu/irb

1) Principal Investigator: Jonathan Ferrante

Rank:

Dept: MMC

Ph: 352-209-2096

E-mail: jferra7@lsu.edu

2) Co Investigator(s): please include department, rank, phone and e-mail for each

IRB# <u>55846</u>	LSU Proposal #
<input type="radio"/>	Complete Application
<input checked="" type="radio"/>	Human Subjects Training

3) Project Title: Understanding cell phone users knowledge of laws.

Study Exempted By:
Dr. Robert C. Mathews, Chairman
Institutional Review Board
Louisiana State University
203 B-1 David Boyd Hall
225-578-8692 | www.lsu.edu/irb
Exemption Expires: 2/21/2015

4) Proposal? (yes or no) ☐ no

If Yes, LSU Proposal Number

Also, if YES, either

☐ This application completely matches the scope of work in the grant

OR

☐ More IRB Applications will be filed later

5) Subject pool (e.g. Psychology students) | LSU students

*Circle any "vulnerable populations" to be used: (children <18; the mentally impaired, pregnant women, the aged, other). Projects with incarcerated persons cannot be exempted.

6) PI Signature Jonathan Ferrante

Date 1-17-12

(no per signatures)

** I certify my responses are accurate and complete. If the project scope or design is later changes, I will resubmit for review. I will obtain written approval from the Authorized Representative of all non-LSU institutions in which the study is conducted. I also understand that it is my responsibility to maintain copies of all consent forms at LSU for three years after completion of the study. If I leave LSU before that time the consent forms should be preserved in the Departmental Office.

Screening Committee Action: Exempted <input checked="" type="checkbox"/>	Not Exempted <input type="checkbox"/>	Category/Paragraph <u>2</u>
Reviewer <u>Mathews</u>	Signature <u>[Signature]</u>	Date <u>2/22/12</u>

VITA

Jonathan is a Florida native and world traveler. His academic interests are mobile communication devices (MCDs) and law. He earned a Bachelor of Science in Journalism and a minor in Chinese language from The University of Florida in August of 2009. He received his Master in Mass Communication from The Manship School of Mass Communication at Louisiana State University in May of 2012. He will be matriculating at a law school in the fall of 2012 where he plans to continue his study of digital communication from a legal perspective.