

“VEHICLE CELL PHONE SAFETY SERVICE PROPOSAL”

VCPSS

By

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1. EXECUTIVE SUMMARY:

VCPSS is an innovative service that addresses the issue of distracted drivers who use cell phones. The service provides integrated inhibition of cell phone use according to the laws of its legal jurisdiction GPS locations in addition to logging cell phone law violations data for law enforcement. VCPSS provides synergistic reduction of distracted driving through its iTAD application installed in cell phones and law enforcement access capability to iTAD cell phone laws violations tracking data.

VCPSS recommendation for distracted drivers who use cell phones is for mandatory VCPSS enrollment of all 143 million drivers with VCPSS capable (GPS) cell phones. In general, the US public has traditionally chosen its freedom to voluntarily adhere to driving safety rules. VCPSS allows the public through control of its laws to conform to the level of desired freedom. VCPSS allows users to disable its iTAD inhibit function but maintain its monitoring function in accordance with legal jurisdiction codes. This feature allows maximum user freedom and law enforcement capability for addressing distracted drivers who use cell phones. The combination of inhibiting cell phone operation according to legal jurisdictions, inhibiting of cell phones operation to preselected levels by plan administrators, or disabling the inhibiting function along with the availability of tracking cell phone law violations data, makes VCPSS the ideal solution for vehicle cell phone safety.

2. SCOPE:

Twenty-eight percent of vehicle accidents are caused by cell phone users¹. This is an estimated 1.4million crashes due to conversation and 200,000 due to texting. The National Safety Council estimates the average economic cost of vehicular accident property damage to be \$8,200². This translates to \$13.12 billion in property damages for distracted cell phone drivers.

The US Census reported 2,217,000 motor vehicle injuries in 2009³. It can be inferred that these injuries were caused by accidents and that 28% of these injuries are related to cell phone use. The National Safety Council estimates the average comprehensive loss of a possible injury at a cost of \$ 26,300². From these figures, a total of \$16.326 billion dollars in medical or other costs was due to distracted cell phone users' injuries. A viable cost-effective method of providing VCPSS service for the 285 million⁴ US cell phone subscribers must therefore be within a budget of \$39 billion a year. A VCPSS fee of \$3 per month for the estimated 143 million US drivers^{4,10,8} with VCPSS (GPS) capable phones⁸ at end of 2011 provides annual revenues of \$5.141 billion to cell phone carriers and VCPSS app developers while saving health insurers, first responders and families \$16.326 billion. Additionally, \$13.12 billion is saved by auto insurers and automobile owners in property damages. VCPSS provides a win win solution for all stakeholders involved in the issue of vehicle cell phone safety.

3. STAKEHOLDERS:

The VCPSS stakeholders include cell phone carriers, subscribers, and those who are responsible for safety or are affected by safety of cell phones' operation in vehicles. These groups include the following:

- a. Cell Phone Carriers
- b. Cell Phone Users
- c. Cell Phone Plan Administrators (e.g., Employers, Parents)
- d. Auto Insurers
- e. Health Insurers
- f. First Responders
- g. Health Care Providers
- h. Law Enforcement
- i. Legislators
- j. Public

The goal of VCPSS is to allow the safe operation of cell phones within the guidelines of the cell phone's legal jurisdiction location in a cost effective manner for all stakeholders. The VCPSS entity provides statistics on the effectiveness of VCPSS by monitoring economic and safety data. Data is gathered from affiliated cell phone carriers, third party application service providers and law enforcement. Ultimately, such data is made available for policy decisions on such issues as modifying laws to improve public safety and encouraging compliance with the most effective safety methods.

4. INNOVATION:

The VCPSS is a distributed service consisting of national Centralized Databases, cell phone carriers Image Databases, cell phone carriers Infrastructure, cell phones iTAD application firmware and nationwide access points for Legislators and Law Enforcement. The iTAD firmware is installed within each carrier's cell phone by the cell phone carriers or third parties. Cell phone carrier based iTAD applications operate along with the carrier's network to control the cell phone functions. Third party iTAD installed in cell phones operate independently of cell carrier network but provides means of informing cell carrier network of their installation and functioning. iTAD allows VCPSS control to range from configuring cell phones to comply with legal jurisdictions of their current locations to turning off the phones when the phones are moving. Additionally, cell phones plan Administrators (e.g., employers, parents) are able to configure their plan members VCPSS services through their cell phone service providers.

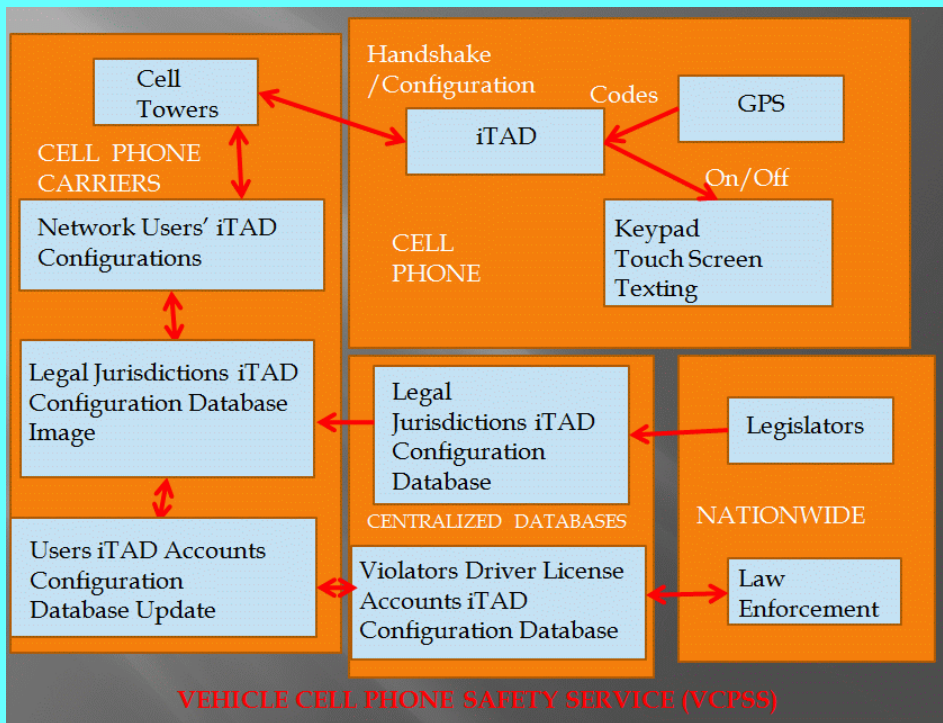


FIGURE 1: VEHICLE CELL PHONE SAFETY SERVICE (VCPSS): LEGISLATORS AND LAW ENFORCEMENT EXTERNAL ACCESS

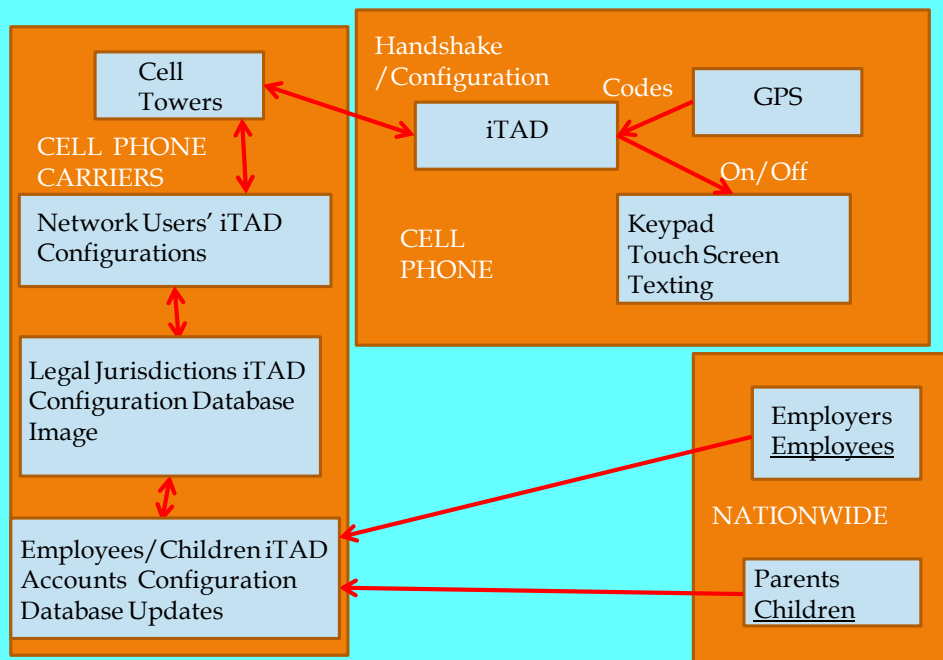


FIGURE 2: VEHICLE CELL PHONE SAFETY SERVICE (VCPSS) CELL PHONE ADMINISTRATORS (e.g., EMPLOYERS, PARENTS)

4.1 iTAD

Inhibit Text And Driving (iTAD) is a cell phone carrier firmware application that is globally downloaded into carrier's subscribers cell phones or provided by third party application service providers. The iTAD application senses speed through its cell phone GPS and accordingly sets the cell phone to legal jurisdictions, law enforcement and administrator selected configurations.

The iTAD configurations (some combinational) are:

- a. Allowing all cell phone functions when phone is moving less than a predetermined speed.

Greater than a predetermined speed:

- b. Enable/disable iTAD with liability disclaimer.
- c. Always enabling 911 calls when phone is on.
- d. Enabling hands free use only.
- e. Allowing viewing of incoming text messages.
- f. Disabling viewing of text messages.
- g. Disabling sending/composing viewing text messages.
- h. Allowing receiving and making voice calls.
- i. Disabling making voice calls.
- j. Redirecting all voice calls to voicemail.
- k. Powering off phone.

4.2 Carrier Infrastructure

VCPSS cell phone carrier's Infrastructure modification involves those changes necessary to support subscribers' cell phones iTAD configurations. These modifications involve administrative and operational support activities.

Operational support activities pertain to dynamic interaction of cell phones iTAD apps with the cell phone carrier network as subscribers' cell phones are moving beyond a predetermined speed. iTAD is designed with as much processing into cell phones to minimize interaction with the network. The iTAD app may use its GPS to determine its legal jurisdiction location and internally configure itself to legal requirements accordingly. Or, iTAD apps may be designed to internally configure to their legal jurisdiction requirements by responding to legal jurisdiction codes broadcasted from their connected cell towers. Or, in a more network dependent implementation, the network may broadcast actual legal configuration codes to all cell phones that are connected to cell towers located within particular legal jurisdictions.

Each of the examples is successively more network dependent and requires additional network supporting infrastructure. More advanced iTAD implementations require more cell phone processing power and are therefore more applicable for implementations in newer cell phones. It is possible that a totally self contained iTAD application may be developed that allows third parties to provide VCPSS service independent of cell phone service providers. VCPSS design should allow the existence of such third party designs but with the assurance that VCPSS service is always provided; if a cell phone subscriber elects to unsubscribe from her carrier's VCPSS

service, she must have a self contained VCPSS iTAD app installed in her cell phone. Third party VCPSS iTAD apps must allow cell phone carrier's network to verify their operation. This requirement follows the need to ensure that all drivers' cell phones are VCPSS enabled in order to provide overall public safety.

A quasi operational/administrative VCPSS support function involves the provisioning of cell phone iTAD apps with legal jurisdictions updates. These updates involve jurisdictions' additions or changes to legal jurisdictions' boundaries or changes in laws and iTAD configuration data. This type of provisioning is only required for the first two iTAD apps implementation mentioned previously. Provisioning will not be needed for iTAD apps which configuration codes are completely provided by dynamic network updates.

Two possible approaches for provisioning iTAD apps involve: 1) iTAD apps that self update by constantly checking corresponding configuration databases, 2) configuration databases that update iTAD apps when there are changes to the database. Updating is a scheduling process and not a real time process. There are two configuration databases: 1) Legal Jurisdiction iTAD Configuration Database, 2) User Accounts iTAD Configuration Database.

4.3 Legal Jurisdiction iTAD Configuration Database (LJiCD)

State cell phone laws⁶ are the basis of the states' Legal Jurisdictions iTAD Configuration Database. The complete LJiCD provides iTAD configuration codes for all US legal jurisdictions that have cell phone laws. The records of the database translate the jurisdiction laws into iTAD configuration codes. The design of iTAD configuration database provides futuristic law enforcement capabilities such as enforcement based on time of day variations in cell phone configurations.

The LJiCD exists as a national centralized database maintained by the VCPSS firm. Cell phone carriers and independent iTAD providers copy this database for updating the configurations of changes to their legal jurisdictions. Legislative representatives access the LJiCD from their legal jurisdictions to enter and update the configurations for their cell phone laws. The VCPSS firm updates the iTAD configuration codes for these entries and provides universal access to these updates. The VCPSS firm updates the LiCD databases of affiliated cell phone carriers and affiliated third party iTAD developers.

4.4 User Accounts iTAD Configuration Database (UAIiCD)

The User Accounts iTAD Configuration Database (UAIiCD) exists as a national centralized database that is updated by law enforcement. The configuration data corresponds to cell phone controls base on cell phone law violators. The VCPSS firm communicates subscribers-violators' configuration data to cell phone carriers and third party iTAD app services to update their UAIiCDs. The user account configurations data are provisioned into installed iTAD apps. The iTAD app determines the combinational configuration of user accounts configuration, legal jurisdiction configuration and law enforcement configuration, conforming to the most restrictive interpretation.

Cell phone carriers' UAiCDs and third party iTAD services' UAiCDs also allow cell phone plan administrators (e.g., employers and employees) to update their UAiCDs. Fees for modifying user accounts' configurations are set at the discretion of the cell phone carrier or third party iTAD service provider. However, VCPSS may be offered at an all-inclusive comprehensive rate that includes modifying user accounts configurations.

4.5 Legislators

Current cell phone laws⁶ are defined for each of the 50 US states. VCPSS have provisions for defining laws within smaller boundaries such as counties or cities. Representatives of the legislators within a legal jurisdiction contact the VCPSS entity to add or update the LJiCD with their laws. The VCPSS provides cell phone configuration data to cell phone carriers and third party iTAD service providers for controlling cell phones within the location of the legal jurisdiction. The control conforms to the laws of the jurisdiction.

4.6 Law Enforcement

VCPSS provides added penalties for violators of cell phone laws. Citation information for such violators includes name, license, birth date, license issue date and cell phone number. Additional penalties for violators may include more stringent control of cell phone, such as blocking texting while driving or overall use of phone when driving for a period of a year. These controls are enforced when a law enforcement representative contacts the VCPSS entity to update the UAiCD database with configuration data for guilty violators. The cell phone carrier's or third party iTAD service provider's violator user accounts records of the UAiCD are communicated to each service provider. The configuration data from these records allow the service provider to control the cell phone law violators' cell phone service for the duration of the penalty. Cell phone carrier and iTAD service provider's fees for law enforcement services are at the discretion of the service provider. A subscriber may discontinue service for the duration of the penalty period without need for UAiCD fee payment. Guilty violators are required to pay citation fees for their offense.

4.7 Cell Phone Plan Administrators (Employers, Parents)

Cell phone plan administrators such as employers who pay for cell phone services for employees, or parents who pay for their children's cell phone services, are able to control their plan member's VCPSS service through their cell phone service provider or VCPSS application service provider. The chosen settings such as shutting off the plan member's cell phone while moving are updated into the installed iTAD application. The iTAD application selects the combination of legal jurisdiction, user violation and plan administrator's cell phone configuration data to provide the most restrictive control for the cell phone. The violation and plan administrator's configuration data are stored in the cell phone iTAD application for their duration while the legal jurisdiction configuration data changes with the cell phone location. VCPSS effectiveness depends on its widespread and mandated use at least at the legal jurisdiction level. However, plan administrator's choice of more restrictive controls for their members is a responsible acceptance of VCPSS goal for safety. As such, VCPSS mandated basic fees should allow all plan administrators to exercise control of their members' accounts at no additional cost. This philosophy of an all inclusive VCPSS service fee encourages greater public use of VCPSS beyond cell phone laws which in turn leads to greater safety.

5. BUSINESS MODEL:

5.1 iTAD Installed Base

91% of US residents have cell phones and 196 million are drivers implying a total of 179 million drivers with cell phones. Eighty percent of cell phones will be GPS enabled at end of 2011⁸ implying 143 million drivers with cell phones are potential VCPSS enrollees by end of 2011. Total installation of iTAD within these 143 million phones, and 100% iTAD effectiveness, would proportionally reduce distracted driving cell phone accidents, injuries, deaths, and property damage by 80%. iTAD effectiveness is measured in its absolute terms as [the total amount of cell carrier's subscribers time that iTAD inhibits operation of phones during driving] / [total subscribers driving time]. A loser definition conforms to the [total time iTAD enforces laws of its GPS location while subscribers are driving] / [total subscribers driving time]. The first definition is expected to have a stronger correlation with overall reduction in distracted cell phone driving costs than the second. Discrepancies between the first and second measurements results at reducing costs may be used to fine tune laws among legal GPS jurisdictions to improve their effectiveness.

The installation of iTAD apps within the projected 143 million cell phones is provided by cell phone carriers or third party providers. Remote provisioning of cell phones such as used by Verizon firmware technology⁹ is an option for iTAD installation. The iTAD application design provides a standardize cell phone to cell carrier interface for retrieving its logged data and verification of its operation. iTAD data logging occurs during phone movement above a predetermined speed and includes cell phone law configuration data such as sending/receiving texting status, voice call status, 911 call status and other configurations related to cell phone laws and driving.

Installation of iTAD in cell phones and participation of subscribers in VCPSS is required to universally address distracted cell phone driving. Cell carriers are expected to have a service surcharge of approximately \$3 per month for the estimated 143 million subscribers or \$5.141 billion dollars in annual VCPSS revenues.

An estimated 1.6 million distracted cell phone accidents occurs each year¹. If we assume that an average of 2000 distracted cell phone incidents occur before an accident, there are a projected 3.2 billion distracted cell phone incidents per total accidents occurring annually. If we assume that the 1.6 million accidents involve 1.6 million drivers with cell phones, a total projection for the US cellular market (3.2 billion distracted cell phone driving incidents annually) X [total US distracted drivers using cell phones] / [1.6million distracted drivers using cell phones].

81% of drivers with cell phones are distracted drivers¹¹ or 145 million drivers, implying a projected number of total distracted cell phone driving incidents annually of 290 billion incidents. Since 80% of cell phones will be GPS enabled by the end of 2011, it is expected that VCPSS would be installed in 80% of total distracted drivers cell phones or 116 million cell phones.

SUMMARY

- 285 million US cell phone users⁴
- 196,165,666 US licensed drivers¹⁰
- 91% of US residents⁴ have cell phones implying 179 million US cell phone drivers
- Recommended VCPSS mandated for all US drivers with cell phones (179 million.)
80% of cell phones GPS enabled⁸, implying VCPSS installed in 143 million drivers cell phones.
- 81% of drivers¹¹ use cell phones (are distracted drivers); 145 million. (VCPSS would be installed in 19% of drivers with cell phones who do not use their phone while driving.)
- 80% of cell phones will be GPS enabled⁸ implying 116 million distracted drivers with VCPSS (GPS cell phones.)

VCPSS is recommended to be mandated for all 179 million US drivers with cell phones. Cell phone carriers will track the type of drivers' cell phones and verify whether they are VCPSS capable. A projected 80% of phones would be GPS enabled at end of 2011⁸ implying VCPSS service would be mandated for 143 million US drivers. The cell phone carriers will upgrade the US drivers without GPS enabled phones to VCPSS when subscribers obtain GPS enabled phones.

The provisioning of iTAD apps within cell phones will follow the logistic of iTAD development and contractual relationship between cell carriers and third party iTAD developers for installation. Projections are that the installed iTAD apps would be 70% installed with increasing effectiveness as a result of the increasing number of cell phones being installed with GPS capability. This projection is for a time frame of 3 years after VCPSS startup. This represents an iTAD cell phone installed base of 87.5% X 143 million [87.5% X 80% is 70% of overall drivers [80% represents 143 million drivers (with GPS cell phones)] capable of reducing the estimated \$39 billion cost of distracted driving by up to 70% if iTAD entirely locks down user cell phones when the phone is moving.

In practice laws will not totally be restrictive and VCPSS overall effectiveness would be less than 70%. If we assume that 20% of VCPSS is totally effective with lock down laws, and 80% of cell phone laws are 50% effective at reducing distracted cell phone incidents, the overall effectiveness of VCPSS would be 42% (70% X 20% + 70% X 80% X 50%). VCPSS dissemination of statistical information among legal jurisdictions will allow benchmarking and adopting of new safer laws and improvement in overall VCPSS effectiveness. A 42% overall VCPSS effectiveness will reduce distracted cell phone driving cost by 42% X \$39 billion or \$16.38 billion dollars. This cost saving is passed on to healthcare providers, auto insurers, auto owners, businesses and members of the public. Greater fine-tuning of laws and deployment of iTAD, will increase effectiveness of VCPSS and overall savings.

There will be contractions in the healthcare industry, lower census due to decreases in distracted cell phone driving 1.6 million accidents¹, decreases in the 600,000 injuries¹, and decreases in the 1000 lives lost annually. However, it is anticipated that this lowered census is a temporary downturn, bridging the increased demand for resources as a result of the current US healthcare system proposed transition to universal healthcare. The estimated three year VCPSS introductory period after which VCPSS would lower health services census, is also during the

period when healthcare will experience increased demand with an upsurge of new patients. In summary VCPSS, is zero-sum-gain to healthcare, replacing unnecessary accidents, deaths and injuries with lowered healthcare census and allowing increased healthcare capacity for servicing its increasing patient load.

5.2 VCPSS Plan Administrators

VCPSS Plan Administrators are parents or employers that purchase cell phone service for their children or employees or anyone with control over others VCPSS iTAD account configuration. iTAD account configuration is usually done at a level more stringent than existing laws allowing added liability protection for plan administrators. iTAD apps installed in cell phones prioritized cell phone control to the highest level of inhibition configuration as received from legal jurisdiction GPS configuration codes, plan administrators' iTAD configuration accounts, or law enforcement iTAD configurations accounts (see figures 1 and 2 page 4.) Cell phone carriers may provide VCPSS Plan Administrators' services as an inclusive part of basic VCPSS service or provide it as an additional surcharge. It is suggested that plan administrator service be inclusive, in keeping with the VCPSS goal of achieving maximum voluntary inhibition of distracted driving use of cell phones.

5.3 Law Enforcement

With an estimated 290 billion distracted cell phone incidents annually and VCPSS iTAD being able to inhibit 42% of incidents, this leaves law enforcement 168 billion violations to enforce. As in the case of speeding violations, only a small number of violators are ticketed from the total pool of violations. The previous estimate of average distracted cell phone driving per driver was 2,000 incidents. When total violations are divided by the average violations, the total numbers of drivers not inhibited by VCPSS iTAD application are 84 million drivers.

VCPSS provides clear cell phone law violation tracking data for law enforcement of violators and a clear defense for those accused of violations through its iTAD logging feature. Law enforcement that has stopped a traffic violator suspect, is able to access the suspect's iTAD log data for cell phone use information during driving. Any violations and codes are printable from the law enforcement VCPSS squad car mobile interface to the citation. Cell phone users may also contact their cell phone carriers for disclosure of logged data.

VCPSS provides an unambiguous method for cell phone law enforcement. If 0.0125% of the projected violators (0.0125% of 168 billion violations; 20.966 million) are cited and found guilty at \$200 per violation, total VCPSS citation revenues are projected to be \$4.193 billion dollars. The following is a projected distribution of citation revenues among the top four states according to their percentage of total US drivers:

- California \$484.320 million
- Texas \$288.553 million
- Florida \$275.873 million
- New York \$242.766 million

These figures are projections for an overall VCPSS effectiveness of 42% and iTAD installed base of 70%. Increased VCPSS effectiveness will reduce distracted cell phone driving costs, lower law enforcement citation revenues, and increase cost savings for auto owners, auto insurers, health insurers, businesses and the public. VCPSS technology provides a comprehensive approach for inhibiting distracted driving and logging cell phone laws' violations. The logging feature of iTAD provides law enforcement with greater evidence for determining traffic violations and the inhibit feature of iTAD reduces the occurrence of distracted driving. These two features iTAD inhibiting and iTAD violation-data logging, synergistically function to improve safe operation of cell phones in vehicles.

VCPSS has provisions for enforcing further penalties on cell phone law violators in addition to citation fees. Guilty traffic violators may further have additional restrictions imposed on their cell phone use for a period of time, e.g., the cell phone remains in a lock down mode with only 911 calls capability for an entire year when moving above the threshold VCPSS speed. These penalties provide added measures of control for legislators to enforce safer driving conditions. The records for added penalties are stored in the centralized VCPSS business entity that interfaces with all cell phone carriers. If a traffic violator terminates service with her current carrier and moves to another carrier, the new carrier accesses the VCPSS entity and reconfigures her new cell phone account with the former penalty restrictions. In this way traffic violators continue to conform to law enforcement across all cell phone service providers.

5.4 Development Costs

1. R&D cost of iTAD

- Definition of iTAD generic features and interfaces for all cell phone manufacturers

- Cell phone manufacturers' development of iTAD for their phones

- Cell carriers' development of iTAD for phones in their network

- Third party developers of iTAD for cell phones

2. R&D cost of VCPSS entity

- Estimate of legal jurisdiction law enforcement usage

- Estimate of deployment of iTAD (move towards having iTAD apps mandatory installed in cell phones to universally address distracted cell phone driving)

- Estimate of growth in legal jurisdictions developing their own cell phone laws

- Development of law enforcement interface

- Development of legislators' law configuration interface

- Development of cell phone carriers interfaces

Development of User iTAD Configuration Database

Violators' iTAD Accounts Database

Legal Jurisdiction iTAD Configuration Database

3. R&D cost of cell carrier infrastructure

Foundation development of minimal attributes to support potential industry move towards universal lock-down iTAD like application that are self contained (do not require legal jurisdiction GPS codes)

Enhanced development of VCPSS iTAD legal jurisdiction GPS enabled cell carrier infrastructure with contingency design for industry movement towards universal self contained lock-down of moving cell phones in VCPSS future

Design of User iTAD Accounts Configuration Database (figure 1 page 4)

Design of Legal legislation iTAD configuration image Database (figure 1 page 4)

Design of Network iTAD Configuration (figure 1 page 4)

6. DISCLOSURE

The VCPSS proposal is the property of MCC INNOvations, Inc a company in Port St Lucie, Florida developing business service innovations. This proposal contains forward looking financial projections, assumptions and technological developments which outcome may differ from future events. Investors, developers and other stakeholders pursuing the development of VCPSS are forewarned of risk associated with undertaking project development.

7. MCC INNOvations Services

MCC INNOvations is the owner of the VCPSS proposal and presents it as a framework for the class action lawsuit against US cell phone industry. A retainer of \$10 million for MCC INNOvations services and consulting fees of \$500 per hour in pursuing a class action remedy is required until distracted cell phone use while driving rates are reduced to a targeted level. This VCPSS proposal is an exemplary framework of such a solution but not exclusive in design or implementation. MCC INNOvations may be contacted at:

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8. CONCLUSION

VCPSS uses innovations and laws to control operation of cell phones in moving vehicles through its iTAD application. The iTAD application is installed in a cell phone and configures the phone's operation according to the its GPS location cell phone laws, cell phone carrier configuration account controls or law enforcement configuration account controls. iTAD chooses the most stringent level of cell phone control to configure its phone.

Cell phone user safety in moving vehicles is currently addressed by disconnected cell phone applications and cell phone laws. The use of safety applications is voluntary and those not using such applications remain a hazard to others. Also, law enforcement lacks tools to clearly ascertain violators of cell phone laws and therefore most laws remain unenforceable. VCPSS addresses lapses in safety applications' deployment, detection of violators, as well as user compliance with cell phone laws.

The VCPSS business entity manages national/global databases for legal jurisdictions and violators of cell phone laws. The legal jurisdiction configuration database provides cell phone carriers and third party application developers configuration data that translate the jurisdiction laws into cell phone controls. The cell phone law violators' database is updated nationally by law enforcement and enables such officials to enforce legal controls of violators' cell phones. The VCPSS firm communicates violation updates to cell phone carriers and third party application service providers (see figures 1 and 2, page 4.)

The VCPSS entity revenues are obtained from licensing relationships with cell phone carriers and third party application service providers. Law enforcement revenues are obtained from citation fees of cell phone law violators. Cell phone carriers and third party VCPSS application developers obtain revenues from subscribers for their VCPSS services. VCPSS recommends that cell phone carriers mandate enrollment of all subscriber drivers with VCPSS (GPS) capable phones as a means of universally addressing distracted drivers use of cell phone issue. VCPSS service would be able to enroll 143 million US drivers or 80% of all US drivers with GPS cell phones by end of 2011.

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