

The Miami Herald

Posted on Tue, Jan. 03, 2012

Time to put an end to texting while driving

Fabiola Santiago

fsantiago@MiamiHerald.com

The other day I was driving along a two-lane, quiet residential street with rows of single-family homes on one side and a canal without guard rails on the other, when a black SUV coming in the opposite direction began to veer into my lane.

The driver's eyes were not on the road, but looking down at his lap.

The young man was oblivious to the fact that he was driving straight into me.

I had three terrible choices: Let him crash into my car and hope that the steel cage I paid plenty for protected me, despite the fact that he had the bigger car. Steer my car the opposite way he was veering and let him hit the passenger side, which was empty, but at the risk of my hitting a house. Or veer off toward the canal bank as far away from him as possible, but then if he finally did hit me, I'd surely end up in the water.

I opted to honk my horn and hoped for the best.

Lucky for me, he looked up, had good reflexes and corrected himself just in time.

Of course we all know what he was doing: Driving and texting or emailing. Or driving and looking up a number, or wondering whether to return a missed call. Or maybe he was just... never mind.

You get the picture.

There ought to be a law, but there isn't.

Until I read that the Legislature is considering later this month a bill to prohibit texting while driving, I thought there was a law already in the books that banned the dangerous practice.

I can't imagine that engaging in such a complex electronic task while you're doing another perilous one that puts at risk the lives of others, is legal. Texting and driving should be considered part of the activities — like weaving in and out of lanes at high speeds, for example — that constitute reckless driving.

But Florida is one of 15 states that still has not dealt with the 21st Century reality that, until you make the dangerous practice illegal, people will continue to engage in it with reckless abandon.

You'd think a bill that would ban composing text messages and emails while driving would be

a slam dunk, but in Florida even a watered-down proposal to ban texting with some restrictions is quite contentious.

Sponsored by Sen. Nancy Detert, R-Venice, the proposal would make texting while driving punishable as a secondary offense. This means police could not pull over motorists simply for texting, but could issue a citation in addition to another offense such as speeding, reckless driving, or after provoking an accident.

Under this bill, one could still text at a red light, use GPS, talk on the phone or dial a number while driving. It doesn't get any blander than this.

The bill passed the Senate Transportation Committee in December, but some legislators, incredibly some from South Florida, home to some of the country's most famously homicidal and rude drivers, have already attacked the bill, saying the ban infringes on personal freedoms.

Hogwash.

You can do whatever you want in your car as long as the exercise of your freedom doesn't put someone else on death lane.

Maybe those opposing legislators would feel differently if they or a family member were the target of the texting fiend veering off the road and straight into them.

But let's hope that's not what it takes, and that on this, her fourth try, Sen. Detert scores a victory for safety.

© 2012 Miami Herald Media Company. All Rights Reserved.
<http://www.miamiherald.com>