Deadly distractions

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New York legislators are considering the use of a new device called the Textalyzer to combat distracted driving, which killed 3,179 people and injured an estimated 431,000 more in 2014.

Because text messaging requires a driver's visual, manual and cognitive attention, it is one of the most potentially dangerous distractors. The National Highway Traffic Safety Administration estimates that crashes caused by distracted driving cost the United States approximately $175 billion a year.

Forty-six states, the District of Columbia, Puerto Rico, Guam and the U.S. Virgin Islands ban all drivers from text messaging. Two states prohibit only novice drivers from text messaging. Fourteen states prohibit the use of handheld devices by drivers, but no state completely bans the use of all electronic devices for all drivers. Penalties for texting while driving can be steep. In Alaska, for example, a violator faces a misdemeanor criminal charge; in Nebraska, a driver can be fined $200 and have points assessed against his or her license.

As texting has grown in popularity, state lawmakers have attempted to strengthen their laws and adopt tougher sanctions. Vermont toughened its hands-free law in 2015 so drivers no longer are allowed to use their devices while stopped at a red light or stop sign, and New York increased penalties for texting while driving to include suspending licenses of drivers under age 21.

Even with these laws in place, however, using mobile phones while driving is common. At any given daylight moment across America, approximately 660,000 drivers are using cellphones or manipulating electronic devices while driving, according NHTSA's National Occupant Protection Use Survey.

New York lawmakers are considering a bill that would allow law enforcement officers to field-test the Textalyzer on a driver's phone after a crash. It would determine whether the driver had used the phone to text or email before crashing. Failure to hand over the phone could lead to the suspension of the driver's license.

Unlike the Breathalyzer, the Textalyzer isn't preventive. It can't deter someone from texting while driving. It would be used only at the scene of a crash. The bill states that the police would not have access to the contents of emails or texts; they would simply determine if and when the phone was used.

Opponents raise privacy concerns and question the Textalyzer's reliability and accuracy. Drafters of the bipartisan legislation note "that while technology has created this grave danger, it also has the capacity to aid law enforcement in tackling and eradicating distracted driving caused by mobile telephones."

If the bill becomes law, "people are going to be more afraid to put their hands on the cell phone," says its sponsor, Assemblyman Felix W. Ortiz (D).

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