

## **Texting While Driving Must Become Unacceptable and Illegal**

It is incomprehensible to me that Florida has not made distracted driving because of cell phone use a primary offense (permits the police to can stop and ticket someone for using a phone while driving). The facts are not in dispute. The National Safety Council reports that cell phone use while driving leads to 1.6 million crashes *each year*. Translation: one in four vehicle crashes in the U.S. are caused by someone texting and driving. This should be considered a national emergency! According to State Representative Jackie Toledo of Tampa, *200 Floridians were killed* in 2017 by someone thought to be texting or searching the internet while driving. This is unbelievable!

Think about this for a second. Is it that important to risk the life of someone who is lawfully going about their life on foot, on a bicycle or driving because of a driver's burning need to look something up, send or respond to a text, or dial their phone while they are operating a car, which the law in Florida rightfully considers, a "dangerous instrumentality?"

Representative Toledo wrote a powerful piece in the Tampa Bay Times on December 30, 2018. She recounted the death of 9-year old Logan Scherer of Riverview who was tragically killed while riding in the back seat of his parents SUV on Interstate 75. How could that happen? It's quite simple, a distracted driver

slammed into their vehicle while driving 100 mph. A driver's remorse is no consolation.

Representative Toledo has filed House Bill 107 for the upcoming legislative session. Her bill bans texting, as well as the act of holding a cell phone, while driving, making it a primary offense. A companion bill has been filed in the Senate by Sen. Wilton Simpson of Trilby.

As cyclists we should be taking the lead in earnestly supporting the effort to ban texting while driving and the use of any hand held device while driving both unacceptable and illegal. I urge each of us to contact the sponsors of HB 107 and Senate Bill 76 politely tell them you support the bill and urge its passage. Although the legislature does not convene until March, due to the November elections, it is still effective to let the staff know now that you support the bill. They do not receive that many calls or letters from constituents. Take a minute and do it today. It will surely make a difference.

You may easily review and track each bill using the following links:

House: <https://www.myfloridahouse.gov/default.aspx>

Senate: <https://www.flsenate.gov/>

As for me, I will be working along with the Florida Bicycle Association and others to make it illegal to use a hand held

device while driving. I hope you will join us. This is an issue of critical importance to cyclists.

*Jim Dodson is a cyclist and an experienced injury & bicycle accident lawyer. Although his primary office is in Clearwater, he represents injury victims throughout Florida. He is a bicycle safety advocate and serves on the Board of the Florida Bicycle Association. He is also the author of the [Florida Bicycle Accident Handbook](#). For answers to your cycling questions, please visit [www.floridacyclinglawyer.com](http://www.floridacyclinglawyer.com).*

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