

Texting While Driving: A Deadly Dilemma

Jeremiah T. Sheridan

Indian River State College

Texting While Driving: A Deadly Dilemma

When Gary Golatas climbed into the passenger seat of Allyson P. Smitter's sports car on the morning of July 4, 2011, he had no idea that she would be taking him for his last ride. According to an article in the *Terlingua Daily Express*, Golatas, 17, and Smitter, 18, had planned a holiday excursion to festivities in nearby Appaloosa County. Six months later, it was no holiday when a Kiva County grand jury indicted Smitter for vehicular homicide (Buck, 2011). Witnesses testified that Smitter was texting while driving along State Route 90 on that July 4. She went into a skid while trying to avoid a van attempting to make a left turn in front of her, but she slammed into it. Golatas was killed, as were two young children in the van. The children's mother and driver of the other car, Daniella Simpson, was seriously injured, is now paralyzed, and "sentenced to spend the rest of her life confined to a wheelchair" (Kingman, 2012, p. 111). This tragedy might have been avoided if the United States had a national law prohibiting texting while driving, strictly enforced such a law, and established stiff penalties for those convicted of breaking it.

Texting while driving, statistics prove, is not only rising but creating problems on the nation's highways. In the United States, texting increased from 9.8 billion messages a month in January of 2009 to 99.4 billion in January of 2010 (Bandelier, 2007). As cited by the Automotive Review Council (2009), researcher Alan M. Tercero finds that "as many as 70 percent of those messages are being sent by people driving cars" (p. 29). An insurance accident investigator, Barry G. Hulicki, says that drivers using cell phones were involved in 22% of the fatal automobile accidents that occurred in 2011. Hulicki also cites law-enforcement and traffic-safety personnel as predicting that this percentage could rise as much as 2% per year unless stricter laws are enacted (as cited in Burns & Nobel, 2001). Despite these alarming statistics, only 29 states have laws against texting while driving. However, there is one statistic that stands out:

Those 29 states recorded an astounding 37% fewer fatal accidents than those states without laws (Jackson, 2008). “These numbers,” argues National Safety Commissioner Craig Metcalf, “offer incontrovertible evidence that laws against texting while driving lead to safer highways” (as cited in Kingman, 2012, p. 112).

But are these 29 individual states’ actions enough? Until there is a national standard, texting while driving will remain a hazard for everyone on the highways. Insurance company studies indicate that texting is a problem that transcends state lines (“All Is Not Well,” 2009). If each state has different laws, can they truly be effective? The answer is a resounding “No!” according to Thomas T. Trane of the Citizens on Guard Committee for Policing Highways. “If the other states do not follow suit,” he adds, “the federal government should step in and make texting while driving a federal crime” (as cited in “Deadly Consequences,” 2009, para. 3). Therefore, it is obvious that a uniform national law is needed to save the lives of texting drivers, as well as those they encounter on all of the nation’s highways.

Trane’s view is gaining support from other lawmakers. In a 2009 interview, Florida representative Henrietta Hangman stated, “I would be criminally negligent if I failed to support any proposed bill prohibiting texting while driving” (as cited in “Southern Sunshine,” 2008, para. 4). Hangman, Trane, and others claim the only answer is a federal law, such as the one proposed by Rep. Harding R. Layman of North Dakota. Layman is pushing for a law that would ban not just texting, but any use of cell phones on all U.S.-designated highways and the nation’s interstate system (“Southern Sunshine,” 2008).

One segment of the nation’s population appears particularly vulnerable. Layman’s proposal is bolstered by another frightening statistic: 63% of these fatal crashes involved drivers between the ages of 18 and 24 (Curleigh, Mole, & Lari, 2011). A national survey revealed that

the teens themselves admit that texting is their number-one distraction while driving (Fony, 2011). In 2010, one state, Georgia, enacted Bill 23, which prohibits those 18 and younger from using a wireless device while driving.

But even with a national law such as the one proposed by Layman, would officers be able to enforce it? Opponents argue that such a law would be nearly impossible to enforce, creating a debate similar to that of the controversial 2010 Arizona law that called for police officers to check a person's immigration status while enforcing other laws and required immigrants to prove that they were authorized to be in the country. Thanks to advanced technology, however, officers now have a new weapon to enforce these texting-while-driving laws. Just as radar aids officers in identifying speeders, a new device developed by Engineering Inc. checks not just a driver's speed but also whether or not a cell phone is in use (Adams, 2012).

Enacting laws and enforcing them are not enough, however, to curb the epidemic of texting while driving. The final step to an effective solution is to legislate stiff penalties for those convicted of texting while driving. Layman is pushing a national bill that would entail a \$1,000 fine for first-time violators, a \$5,000 fine and two-year loss of driver's license for second-time offenders, and five years in prison for a third violation. "Anyone convicted of being involved in a fatal accident while texting," he says, "should receive an automatic 25-year prison sentence" (as cited in Swanson, 2012, para. 7).

These are harsh measures, no doubt. But they pale in comparison to the penalties paid by Golatas, Simpson, her children, and their families. Smmitter also is facing the consequences of a life disrupted, if not ruined, by her actions that day. If she had been aware of a stiff penalty for her texting while driving, everyone involved might be alive today. If there is one case that stands

as a symbol of the deadly statistics of texting while driving, the Smither accident is it: a glaring example of why stricter laws and penalties are necessary.

References

- Adams, J. (2012, January 10). New device detects cell phones in cars. *Treasure Coast Engineering Monthly*, 12, 21-26.
- All is not well. (2009, September 6). *Drivers' Education Weekly*, 95, 101.
- Automotive Review Council. (2009). *Time for a change*. Stuart, FL: Author.
- Bandelier, A. (2007). Watching out for you. *Scholarly Journal of Automotive Safety and Security*, 22, 26-30. Retrieved from http://www.jrnal_of_automotive_safety_security.html
- Buck, A. (2011, July 10). Texting driver involved in fatal accident. *Terlingua Daily Express*, pp. A1, A11.
- Burns, W., & Nobel, C. (2001). *Driving: sound principles and practices*. Fort Pierce, FL: Johanson Brothers Printing.
- Curleigh, T., Mole, J., & Lari, J. (2011). *Fatal crashes*. Vero Beach, FL: Possum Press.
- Deadly consequences. (2009). *Driver Daily*. Retrieved from <http://drvrdalynews.edu>
- Fony, I. (2011, December 17). Teens and texting: a deadly menace. *Driving Today*. Retrieved from <http://www.autoviewnews.org/drivtoday>
- Jackson, B. Driven to distraction. (2008, May 17). *Treasure Coast Weekly Magazine*, 19-22.
- Kingman, H.L. (2012). Looking down the road. *Teen Driving*, 7.4, 111-112. doi:02:12.1111/1091-737.21.6.123
- Southern sunshine blotted by deadly shadow. (2008, February 4). *West Texas Trailways*. Retrieved from <http://westextrailwayz.edu>

Swanson, A. (2009, Feb. 7). Cell phones and cars: a deadly combo. (2009). *Okeechobee Journal of Byways and Driveways*. Retrieved from <http://www.okeejrnbydriway.org>