

Be Smart

Refrain from using your cell phone or PDA while driving!

David A. Temple

O.K., the information you are about to read may save your life! Yes, that is correct, and your families, colleagues, and even your clients will thank you for reading this article. After all, none of them want you to be injured or killed while making a cellular call, texting, or emailing. Cell phone use while driving, no matter your age, is dangerous.

On January 12, 2009, the National Safety Council called upon “motorists to stop using cell phones and messaging devices while driving.” The NSC reported that “a study from the Harvard Center of Risk Analysis estimates that cell phone use while driving contributes to 6 percent of crashes, which equates to 636,000 crashes, 330,000 injuries, 12,000 serious injuries and 2,600 deaths each year.” <http://www.nsc.org/Pages/NationalSafetyCouncilCallsforNationwideBanonCellPhoneUseWhileDriving.aspx> See also Insurance Information Institute’s February 2003 article “Cell Phones and Driving” at http://www.avst.com/downloads/news/industrynews/IndustryNews_20030201.pdf and Human Factors and Ergonomics Society’s 2009 article “Text Messaging During Simulated Driving” at <http://hfs.sagepub.com/cgi/reprint/51/5/762?ijkey=8PcrsMp3vO2ZQ&keytype=ref&siteid=sphfs>.

My observations over the past month have pushed me onto the proverbial soap box. Picture what I witnessed the other morning: a 30-something male driving in morning traffic at speeds up to 30 mph. He traveled through three stop lights without ever touching the steering wheel because his hands and eyes were glued to his PDA. He was completely oblivious to his surroundings, including me in the vehicle next to him, at all three lights. I watched in disgust and horror because, having children of my own, I feared he would repeat this behavior when his young child was in the clearly visible car seat.

Another incident involved a colleague of mine who, while driving home at night, took his eyes off the road for a second to reach for his cell phone in the passenger seat. When he looked up, a deer was in front of him. He swerved and missed the deer but hit a nearby telephone pole, totaling his car. He was lucky. It could have been much worse.

Most of you own and use a cellular phone or PDA on a daily basis for work or pleasure. Moreover, many of your family members have such devices for talking and texting with friends and family. Ask yourself whether you are teaching them good habits and setting a good example the next time you use your cellular phone or PDA while driving.

Driving a 2000-pound car in traffic while listening to the radio, navigating via a GPS device, monitoring speed with a radar detector, applying makeup or shaving, inserting a CD or DVD, and eating food are more than enough distractions without attempting to text or talk on your phone or PDA. Even a Bluetooth hands-free device is a distraction. We are bombarded with distractions,

including sights and sounds from numerous sources. Unfortunately, such multitasking is common on Indiana roadways. However, most of these distractions are voluntary choices we make. Cars are **not** extensions of our offices and homes, so concentrate on driving.

Next time you get in your vehicle, ask yourself these important questions:

1. Is that phone call or email so important that you are willing to risk your life or the lives of your family and friends who are in the vehicle with you or the innocent pedestrian or driver and passengers in the vehicle you hit?
2. Who will care for, raise, and play with your family when you are disabled or dead?

The answers are sobering if you use a cell phone or PDA while driving. We must change our behaviors. Be safe and concentrate on the road! Your family, friends, clients, and fellow Hoosiers will thank you.

Mr. Temple is a partner in the Indianapolis firm of Drewry Simmons Vornehm LLP, and is a director of the Defense Trial Counsel of Indiana. The opinions expressed in this article are those of the author.