

Beacon Hill Byline by Mary Rogeness

February 12, 2008

### **Can You Hear Me Now?**

“Can you hear me now?” That’s the familiar question from Verizon ads for cell phone service. Last month a version of the question echoed through the State House as we debated a bill to limit cell phone use while driving. More appropriately, that question would have gone this way: *Should* you hear me now (while I’m driving my car)?

We were deciding what to do about cell phone use by drivers.

I remember my first car phone, which was installed under the hood and permanently attached to the dashboard. How times have changed! Now the phones seem to provide a permanent link between drivers’ hands and their ears. And those drivers are less able to navigate and negotiate the roads they travel.

As is often the case with public safety issues, the bill arrived at the house for debate after tragic incidents. A 17-year-old student was driving to school in Southbridge when she received a text message on her phone. Phone records show that the message was received two minutes before Amanda was killed when she lost control of her car and ran off the road.

In another recent incident, a 13-year-old boy was hit and killed while walking along the road. The driver, who turned himself in to police after initially leaving the scene, said he was text-messaging and believed he had only bumped a mailbox.

The bill presented to House members tried to take the middle ground between banning cell phone use and maintaining the present law that exempts cell phone use from the police charge of distracted driving. It bans the use of hand-held cell phones and text messaging while a person is driving.

Legislators seemed to agree that text messaging while is driving is stupid, dangerous and should be illegal. And most of us felt that young, inexperienced drivers should stay off the phone. Controversy sprouted after we went beyond those points.

One member argued that it was his right to use his phone and that the bill was a ruse to enrich insurance companies through the surcharges they will collect from ticketed drivers. Others spoke of the impossibility of activating a call without at some point holding the phone, thus becoming liable to being ticketed.

At the end of the day, the bill was changed to allow calls to be initiated or terminated, so long as your conversation utilizes a hands-free device. Fines of \$100 and surcharges may be imposed, though the new auto insurance program does not require insurers to impose surcharges.

I am among the members who had concerns about the high financial cost to violators, while endorsing the ban on texting and using hand-held phones. Drivers are obviously safer if they don’t use their phones, and other states have successfully dealt with that issue by imposing a smaller fine. I voted for the bill, which now moves to the senate.

I am not a habitual drive-phoner, though I occasionally answer or place a call. In preparation for the debate, I started using an earpiece, and it seems to provide a clearer connection than the phone itself. The next step will be to change my voice mail message to tell callers I can’t take their call if I’m driving.

The bill is far from becoming law, since it has not even been considered by the senate. If that body approves it, it is likely to go to a conference committee. I invite all of you to weigh in with your thoughts on how the state should monitor our cell phone use as we drive.

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