

Child Injury Laws *Blog*

Texting Safety Campaign Promises To Reduce Number Of Distracted Drivers

Posted by **Jonathan Rosenfeld** on January 24, 2011

Ok, I admit it, I'm somewhat addicted to my Blackberry. Everyday, I feel somewhat obligated to respond to the numerous texts and emails I receive in real-time fashion.

Hoever after driving around recently, I've come to realize that I'm certainly not alone when it comes to this habit of going back and forth with the instantaneous messaging.

Not surprisingly, when we text, dial or talk on mobile devices, our attention is diverted away from what we really need to be doing--- paying attention to the traffic on the road!

I recently read about a new anti-texting program initiated by police in Iowa to remind drivers of the dangers associated with texting while driving. Iowa police are now distributing colored thumb-bands with the message "TXTING KILLS".

Iowa, like thirty other states has passed laws banning texting while driving. However, under the first year of the law, police will only issue warnings (along with a thumb-band) to drivers as opposed to fines.

In addition to passing the thumb-bands out to offending drivers, Iowa officials also plan on distributing more than 30,000 of the reminders to crowds at fairs and football games.

Jonathan Rosenfeld offers legal services relating to: birth injuries, medical malpractice, day care abuse, foster care abuse, swimming pool injuries, automobile accidents, school bus accidents, dog bites, food poisoning, product liability, amusement park accidents and clergy abuse. For more information please visit Child Injury Laws Blog (<http://www.childinjurylaws.com/>) or call Jonathan directly at (888) 424-5757. (www.rosenfeldinjurylawyers.com.)

Texting Dangers

According to the National Highway Traffic Safety Administration, in 2008 almost 6,000 people died in auto crashes throughout the country where drivers were distracted due to cellphone use and texting.

As a personal injury lawyer who has represented children and adults who were injured in auto crashes that have been caused by drivers distracted by texts, I think the Iowa anti-texting program is a great idea to help improve safety on our roads. Hopefully this program will be successful and implemented in other states.

Further, because use of cell phones and Blackberry's has become so common, I think it is important to flush out if the driver of the vehicle that caused the accident was using their device immediately prior or at the time of the incident. I usually make inquiries as to cell phone use during the discovery phase of the lawsuit in the form of an interrogatory question or at deposition. As a last resort, or as a method of fact checking, I will also issue subpoenas to the driver's cellular provider to look at the time of ingoing and outgoing calls.

Related:

[Illinois Public Act 096-0130 \(PDF\)](#)

[Insurance Institute For Highway Safety](#)– Compilation Of Cell Phone Laws By State

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Assessing the awareness of performance decrements in distracted drivers.pdf Accident Analysis and Prevention 40 (2008) 675-682, William J. Horrey, Mary F. Lesch, Angela Garabet

Police Try to Thumb a Ride With Anti-Texting Message by Joe Barrett, Wall Street Journal, October 19, 2010

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