

No-text Law Goes Into Effect January 1, 2009

DMV Tells Drivers to Keep Their Eyes on the Road or Pay a Fine

In order to prevent text-messaging while driving and the collisions which could occur as a result, a new law goes into effect on January 1, 2009.

SB28 prohibits a person using an electronic wireless communications device to write, send or read text-based messages while operating a motor vehicle. This law specifically addresses, but is not limited to, instant messages and all forms of e-mail based correspondence.

Similar to its no-cell phone counterpart, drivers are subject to \$20 fee for the first offense, and \$50 for each subsequent offense. However, unlike SB33 which focuses on teens and SB1613 which allows cell phone usage accompanied by a headset for adults, SB28 affects *all drivers*. No points will be shown on DMV records for this violation, but penalty assessments will be added, which could more than triple the base fine amount.

This law does not apply to any passengers in motor vehicles and exemptions apply in emergency situations and for emergency service professionals while operating an authorized emergency vehicle.

To many of us, the text-messaging function on our cell phones has become even more convenient than making or receiving an actual phone call. In situations where silence is required, such as a meeting, the office, a conference or the library, you can set your phone to silent mode and continue to be connected to the outside world. Conversely, in situations where there's too much noise such as concerts, parties or movies, the short, quick messages save time, don't require a verbal conversation and can effectively be used to entertain or simply tell a friend your whereabouts. However, text-messaging can go from being a convenient and useful tool, to a dangerous distraction in seconds once you get behind the wheel of a motor vehicle.

According to the Transport Research Laboratory, the reaction time of people driving while text-messaging is 35 percent slower, while reaction times were only 12 percent slower for drunk drivers and 21 percent slower for those who smoke marijuana. Looking away for one second is enough time for a cyclist or child to end up in front of your vehicle, or for another driver to quickly veer into your lane.

To get all the "buzz" on the new cellular phone and text laws, check out the California Department of Motor Vehicles' Web site www.dmv.ca.gov/cellularphonelaws/index.htm.