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SAFETY BEFORE CONVENIENCE

Moving Forward With Hands-Free

Distracted Driving Hits A Bump In The Road

By [William Lyons](#) | Oct 18, 2015

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Our traditionally libertarian neighbor to the north recently made the use of handheld mobile phones unlawful when operating a motor vehicle.

We are certainly living in interesting times when “Live Free or Die” New Hampshire has become more progressive than Massachusetts when it comes to automobile safety. It is time for Massachusetts to step up and make the rational decision to make hands-free use of mobile phones mandatory.

In this day and age, it is hard to believe that there are still naysayers who insist on having the legal right to use a handheld device in the car. There is ample evidence that talking on a phone while driving is a distraction, and it is incomprehensible that anyone could defend the ability to operate a handheld mobile phone while driving a vehicle that weighs several thousand pounds. If you have not tried it recently, it is very difficult.

The case for hands-free technology has been made over and over. At the risk of being repetitive, here it is again, courtesy of the state of New Hampshire: While entering information (text, cell phone numbers, GPS destinations, etc.) into a mobile device, a driver is 23 times more likely to crash. This activity distracts a driver for almost 5 seconds. At 50 miles per hour, we travel longer than the length of a football field in 5 seconds. Just dialing a phone number increases the risk of crashing by three times. Pretty scary stuff.

Put simply, if even one distracted driver operating a cell phone kills someone, how then can we as a society justify the continued use of these devices? Is this not the definition of irrational behavior? Ask Foxborough resident Jerry Cibley if it seems rational to permit the handheld use of phones – his 18-year-old son Jordan was killed while he was talking on his handheld phone while driving. I am sure he would agree it does not seem rational.

Do we really need to go this far?

Arguing The Other Side

I have yet to hear a cogent argument against hands-free laws. To be fair, I can imagine a very egalitarian argument that a hands-free law would disproportionately impact lower-income residents because the technology is only available in newer, more expensive cars. While I am usually very sensitive to such arguments, I am not at all swayed in this case. Public safety is paramount and transcends these concerns.

Perhaps if every state passes a hands-free law, the technology will proliferate and become much less expensive. If hands-free was the law of the land, new consumer products would be developed and sold, adapting to older cars. New markets would be developed and some as-yet unheard-of inventor would become an overnight millionaire. In short, like all other technological leaps, these types of developments result in positive economic activity, not catastrophic impacts to lower-income residents.

To date, according to the Governor's Highway Safety Association, 14 states have banned the use of handheld mobile phones while driving. It will require a substantial majority of the states to adopt hands-free laws before the economics will create momentum for new technologies. Interestingly, two of our other neighbors – Connecticut and Rhode Island – also ban handheld mobile phone use. So does California – which is where much of the legal innovation in automobiles starts. As a practical matter, it is only a matter of time before it is unlawful to use a handheld mobile phone across the country. And it is the right way to go.

It is also worth noting that the Insurance Institute for Highway Safety (IIHS) has proclaimed that there is no clear link between hand-held cell phone use and crashes. The IIHS reports that there is a 17 percent higher risk of a crash while interacting with a cell phone (reaching for, answering or dialing). However, according to the IIHS, while bans on handheld phone use are on the rise, there is insufficient evidence to suggest that these bans reduce crashes. Although IIHS research has documented that bans on handheld phone use have reduced overall phone use, the IIHS also points out that overall cell phone use is increasing and crashes are decreasing, which suggests a lack of correlation between the two activities.

At the end of the day, while the IIHS studies are interesting, I side with caution. I can't imagine having to face the parent of a child killed in an accident because of handheld mobile phone use. Given the availability of new technology, the continued use of handheld mobile phones is indefensible. We need to stop this egregious behavior now. It is time for the legislature to act.

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