

Driving, talking on cell phone don't mix

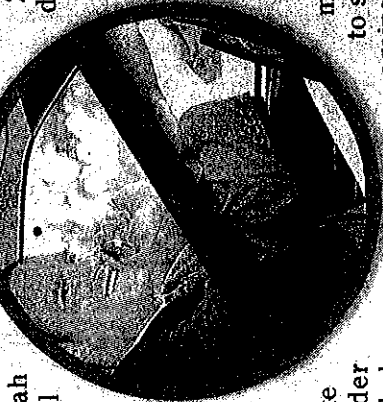
ALVIN WOLFF JR.

Why does it always take a tragedy for society to pass legislation? We live in the instant gratification age. Like the Eagles sang:

Everything all the time." Cell phones are part of this need to have information without distraction of its use or import, immediately. Before cell phones, we had call recording machines.

We would find out who called us from a recorder at either home or work. Before call recording machines, businesses would have answering services. Before answering services, someone would have to answer a land line and receive a call. Now it's too easy. People take communications for granted, like it is a given, without regard to their individual duty behind the wheel of a car. Drivers have a duty to use the high-

est degree of care when they operate a motor vehicle. When you are on a cell phone, and it makes no difference if it is hands-free or handheld, you are not using the highest degree of care. Studies from the University of Utah have proved that cell phone drivers have the same or slower reaction time than an intoxicated driver. If this is true, it should be as illegal to use a cell phone while driving as it currently is to operate a motor vehicle under the influence of alcohol or drugs.



In the last Missouri legislative session, a proposal was introduced making it illegal to operate a handheld cell phone. It was all right to operate a hands-free cell phone. As well-intentioned as this proposal was, it was not well thought-out. There should be no difference between a hands-free cell phone or a handheld cell phone.

My suggestions:
1. Place well thought-out limits on the use of cell phones while driving. If the Legislature wants to start with new drivers and young drivers, that is a start.

2. Require police departments investigating a crash to determine if cell phones caused or contributed to the wreck.

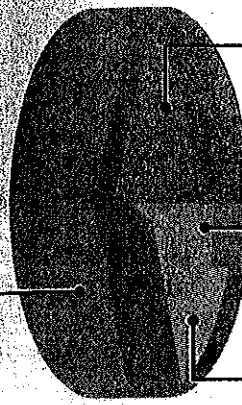
3. Make it permissible for a person injured in a cell phone motor vehicle collision to seek punitive damages against the driver.

This is an opportunity to turn back the clock, to allow people the duty to operate their cars without distractions and to reign in the madness occurring on the roads by people multitasking and not paying attention while putting Missouri residents at risk due to the carelessness and recklessness of others.

Alvin Wolff Jr. is a local personal injury and medical malpractice attorney.

In last week's Web survey, we asked:

How is your pocketbook coping with the heat?
My A/C runs all the time, and my money is chasing after it. 58%



Other ideas? 16%

No A/C for me! I drive with the windows down. 5%

My thermostat is stuck on 80. 21%

Following are some of the comments submitted by the 369 respondents to a St. Louis Business Journal poll that ran Aug. 5-12.

"I normally drive with the windows down."

"Keeping fans running around the house with the A/C at 78 greatly helps circulation."

This week's question:

Do you think the U.S. ban on offshore drilling for oil should be lifted?

To vote go to www.bizjournal.com/stlouis

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