

## Government meddling hasn't stopped Idahoans from texting behind the wheel

*Wayne Hoffman/Idaho Freedom Foundation*

It's always fun to revisit public policy issues from years past to see what happened after the news media stopped writing about an issue. This week, I'm thinking specifically about the heated and very emotional debate about whether to ban texting while driving.

In 2010, then-state Rep. Raul Labrador unilaterally stopped the Idaho House of Representatives from considering a bill to ban texting while driving. He used a procedural move to block the bill, knowing it to be ridiculous and worthless public policy. But by 2012, Labrador was in Congress, and the Legislature had collectively given up the fight against the proposal. Lawmakers passed the measure, and Gov. Butch Otter signed it.

The state Transportation Department has historically kept track of the number of accidents caused by distracted driving—generally defined as crashes in which the driver takes his or her eyes or mind off the task of driving, or doesn't keep control of the wheel. The department didn't track the "why" behind distracted driving until 2012, the same year lawmakers decided to regulate texting while driving. And even still, the department does not distinguish between an accident caused by texting or talking on the phone. The department merely notes that an "electronic device" was a contributing factor.

For several years, the number of automobile accidents has been dropping, without the need for new laws to ban texting or anything else for that matter. By 2012, there were 4,890 distracted driving crashes in Idaho. That number has stayed relatively constant since then, dropping to 4,757 in 2013 and going up to 4,781 in 2014. In 2012, 24 percent of distracted driving accidents were blamed on electronic devices. In 2013, 23 percent of these crashes were attributed to electronic devices. Last year, the percentage of accidents blamed on electronics went up to 27 percent.

In short, the law isn't incredibly effective, at least as far as the data is concerned, a point reiterated this week by House Transportation Chairman Joe Palmer of Meridian.

"It's not doing anything," Palmer told IdahoReporter.com Thursday. "It has no effect."

Palmer went on to contend that the law is an added burden for law enforcement. "It's just one more thing for police to deal with," he said. Moreover, the law often just gives police a reason to cite someone for something. It doesn't save lives. It doesn't stop accidents.

That doesn't mean Palmer intends to pursue repeal, only that he doubts the statute adds much for public safety purposes.

"People shouldn't be texting and driving," Palmer said. "But, government can't fix irresponsible behavior."

The other interesting thing gleaned from the data is that while electronic devices got a lot of attention from legislators and Nanny Government aficionados a few years ago, something else entirely gets blamed on in more than a third of distracted driving accidents year after year after year: passengers.

According to data from the Idaho Transportation Department, passengers contribute to around 36 percent of all this distracted driving crashes in the state, well more than the percentage of accidents caused by electronic devices.

Strangely, however, Idaho lawmakers haven't been pursuing legislation to ban additional travelers from vehicles on Idaho's roadways. At least not yet.