



"Joe Wilcox"
<wilcox80205@msn.com>
02/02/2009 02:46 PM

To "Kurt Morrison" <Kurt.Morrison@state.co.us>
cc
bcc
Subject HB09-1094 Cell Phone Prohibitions For Drivers

in care of Mr. Kurtis Morrison,
to the Colorado House of Representatives Transportation and Energy Committee

Dear Members of Committee:

I am writing to urge you to support HB09-1094 Cell Phone Prohibitions For Drivers.

As a Denver resident, it is obvious to me that there is increasing danger from people who try to drive, in my busy urban setting, while talking on their cell phones. The danger is increasing because more and more drivers are becoming more and more addicted to this hazardous behavior. We need a law to focus on this behavior, and we should act now, before the situation gets even worse and the political difficulty of doing anything becomes even more daunting.

Some people argue that cell-phone driving is no worse than other kinds of distracted driving. Based on personal observation, and a layman's acquaintance with some of the scientific studies on the subject, I doubt this. A reason to target cell phone driving, in any case, is that it is both dangerous and pervasive. We have enacted drunk-driving and seatbelt laws in response to specific problematic driving patterns, and it's clear that those laws have had beneficial effects. I hope we can do the same with cell phones.

I understand, of course, that many people like to phone while driving. I've even read a "cost-benefit" argument that the value of cell-phone driving is worth more than the damage it does. The problem is that all the benefit goes to the people who engage in the reckless behavior. The rest of us pay the price by losing the safety we used to enjoy. Erica Forney (the little girl in Fort Collins who was evidently killed by a cell phone driver a couple of months ago) died, in effect, for the convenience of the driver who hit her. It's an economic argument I can't buy.

You probably know that the National Safety Council has recently decided to urge all states to enact state-wide bans on cell phone use while driving. The NSC clearly has the resources and experience to weigh all the available evidence on this subject. I hope you will take its recommendation seriously.

My testimony is more personal and anecdotal. It's not as systematic as that of the NSC, but, since it's based on direct personal experience, it's compelling to me. Every day I see drivers talking on their cell phones, being insufficiently attentive their driving responsibilities, and thereby driving less safely than they would otherwise do. I'm sure you see the same.

I have especially noticed one odd and frightening aspect of this phenomenon: bicyclists are often invisible to cell phone drivers. I am a frequent bicyclist around my home in central Denver. I am no hotshot cyclist. I obey traffic rules, I avoid busy streets, and I try to keep out of motorists' way. In the past two years, while riding, I've had three close calls in which I was nearly hit by cell phone drivers. In each case it seemed to me that the driver was not conscious of my presence, and I felt fairly certain that it happened because so much of the

driver's attention was absorbed into the phone conversation.

In the postscript to this letter, I have written down some details of those three close calls. I'm sure they're not especially unusual, but I wanted to document the incidents that have convinced me that I'm in real danger from cell phone drivers.

I understand that the Transportation & Energy Committee is having a hearing on this bill on Tuesday, February 3. I hope to attend that meeting, and I may even ask to speak before the Committee.

Thank you for considering my thoughts on this matter. I hope the citizens of Colorado can count on your support for legislation in this area.

Joseph L. Wilcox
2322 Vine Street
Denver, CO 80205 USA
wilcox80205@msn.com
303-377-5761

Postscript:

Cell phone driving near misses while bicycling

Summer 2008 – Denver, parking lot at Congress Park swimming pool

An inattentive driver almost hits me twice while exiting her parking place.

I was riding my bike through the parking lot. I started to pass behind a diagonally parked SUV on my left. Just as I did so, the SUV backed out of its parking space. I swerved to my right a bit to avoid the backing vehicle, but then it quickly shifted into forward gear and swerved to its right, narrowly missing me again.

When the driver turned left a moment later, I could see that she was holding a cell phone to her ear. I think that she was probably at no time conscious of my presence.

Fall 2007 – Denver, 24th Avenue between Vine & Gaylord (1/2 block from my house)

A guy in a pickup passes me on the right & immediately turns left in front of me.

Riding my bike east on 24th Ave., just after I crossed Vine St., I passed a pickup truck that was parked at the curb to my right. As I did that, the truck started up, pulled away from the curb, passed me on my right, and turned left (north) abruptly in front of me to enter the alley between Vine & Gaylord. We avoided collision only because I had braked hard when the pickup started passing me on the right.

As the truck turned into the alley, I could see that the driver was talking on his cell phone.

Fall 2008 – Denver, Colfax at Race

An oncoming driver turns left in front of me at a green light.

I was traveling south on Race St. on my bike. I came to the crossing at Colfax Ave., and the traffic light facing me was red. I stopped. As I waited, a northbound car on Race, across Colfax from me, also came to a stop. I could see that the driver was talking on a cell phone. He was not signaling for any turn.

When my traffic light turned green, I initially waited for a few seconds to see what the opposing driver was going to do. He did not move, and appeared to be unaware that his light had turned green too. I proceeded cautiously into the intersection.

When I was about a third of the way across Colfax, the driver looked up, saw his green light, and suddenly started into a left turn onto Colfax. It appeared that he was going to collide with the rear wheel of my bike, but I sped up and swerved to my right just enough to avoid the impact. I narrowly missed hitting the curb on the south side of Colfax.

By the time I stopped and looked around, the driver had headed west on Colfax and was gone.

