



Don't LOL, because texting while driving might be DOA in Mississippi

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OMG, Mississippi drivers, some legislators are thinking TOBAL — there ought to be a law.

House Bill [389](#) — passed Wednesday by the Mississippi House — would ban texting while driving and social networking while driving in Mississippi. A similar proposal last year died before the session ended.

But is a ban on LOL and LMAO behind the wheel necessary?

Studies by the Insurance Institute for Highway Safety show no effect on a reduction in traffic fatalities in states that ban texting while driving. The [National Institute for Highway Safety](#) says 18 percent of fatal crashes in 2012 were due to distracted driving, which could include things other than texting, such as eating behind the wheel, grooming and fiddling with the radio.

[Walter Olson](#), senior fellow at the Cato Institute's Center for Constitutional Studies, a libertarian-leaning group, told Mississippi Watchdog laws like these are often counterproductive. "A number of studies have pointed in different directions but, in general, there has not been the big safety improvement that they were predicting and expecting," Olson said. "If people adjust their phone by keeping it out of sight, they go on texting and make it more dangerous because they're taking their eyes off the road longer.

"The problem with a general distracted standard is that it's easy to announce that you're banning the whole category of distracted driving. It will be very difficult for the driver to defend against because it'll be the officer's word against yours, and we all know how that works in a court."

John Bowman, communications director at the [National Motorists Association](#), a driver advocacy organization, told Mississippi Watchdog existing statutes on distracted driving should cover any issues with texting behind the wheel.

"Bans are unnecessary and ineffective," Bowman said. "All states already have laws that address reckless or careless behavior on the road. If someone is driving in a hazardous manner, then pull them over using the existing laws."

Mississippi already has [laws on the books](#) governing careless driving and reckless driving.

Careless driving is defined as driving with a “careless or imprudent manner, without due regard for the width, grade, curves, corner, traffic and use of the streets and highways” and is punishable by a fine up to \$50. Reckless driving is a more serious offense and is defined as a “willful or a wanton disregard for the safety of persons or property” and is punishable by a fine up to \$100.

[Forty-four states](#) have bans on texting while driving but, Olson said, a national ban wouldn't be useful until more data is available from states and localities.

“We should tread lightly and let things happen in a decentralized way with states and municipalities and see what the experience is rather than rush into a new national standard,” Olson said.