

Preventing Car Accidents: Huntsville Texting Ban Begins Sept. 20

On behalf of Johnston, Moore & Thompson

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On July 22, the Huntsville City Council unanimously approved the ban against texting while driving within city limits. The ordinance makes it illegal for drivers to "send, receive, download or view" text messages, e-mails, photos, videos and music or to manipulate GPS navigation units while your vehicle is in motion, but does not prohibit cell phone use while driving. **Enforcement will begin on September 20.**

A number of other Alabama cities have passed or are considering bans against texting while driving. Birmingham approved an anti-texting ordinance on July 13, and at least six other communities already have one in place, according to a recent editorial in the Huntsville Times. Athens and Madison are considering similar bans.

According to Madison Police Chief Larry Muncey, national traffic research shows that 26 percent of [car accidents](#) are caused by distracted driving, such as when drivers send or read text messages or talk on cell phones while they drive.

How the Ban on Texting While Driving Works

The texting ban -- or more accurately, the ban on "using a wireless device while driving" -- will be enforced as a secondary offense only. That means that you can't be pulled over for the sole reason that an officer observed you violating the ban. Instead, you can be ticketed for violating the new ordinance only if the police stop you for violating another traffic or criminal law.

The main goal of the new law is to prevent car accidents. Mayor Tommy Battle, who has been an outspoken proponent of the ban, has said that drivers involved in text messaging are 23 times more likely to get into a car accident than drivers who are not distracted.

"We need to make sure we're not multi-taskers as we drive," he said in a July 8 interview with the Huntsville Times. "If you keep your eyes on the road and your mind on what you're doing, everybody arrives safe."

If you are caught violating the texting ban, you could face a \$100 fine and ten days in jail for a first offense. A second offense could get you a \$200 fine and 30 days in jail, and a third could mean a \$500 fine and up to three months in jail.

Here are a few examples of what the new law prohibits:

- Reading or sending text messages or e-mails

- Actively manipulating a smart phone, laptop, electronic tablet computer or netbook
- Reading from an electronic device such as a Kindle
- Entering commands into a GPS navigation device

Related Resources:

- "[EDITORIAL: Drivr txt ban gud 1st start](#)" (John Peck, The Huntsville Times, July 25, 2010)
- "Texting while driving ban could get green light at tonight's Huntsville City Council meeting" (The Huntsville Times, July 8, 2010)