



NEW YORK STATE SENATOR

Timothy M. Kennedy

Kelly Cline and Senator Kennedy Launch Families Against Texting While Driving

TIMOTHY M. KENNEDY April 14, 2011

| ISSUE: **FAMILIES, TRANSPORTATION, POLICE**



[Click here to join Families Against Texting While Driving](#)

Advocacy group will first focus on making texting while driving a primary offense statewide

WEST SENECA, N.Y. – Kelly Cline and Senator Timothy M. Kennedy, D-58th District, officially launched a new advocacy and awareness group called **Families Against Texting While Driving** Thursday at West Seneca West Senior High School. Local families, students

and law enforcement officials joined Kennedy and Cline at the morning press conference to voice support for the fight to end texting while driving in New York State.

Families Against Texting While Driving is bringing families together to unite with one strong voice and send a message to Albany: New Yorkers believe in safety first.

The group's first task will be advocating for the strengthening of state laws against texting while driving. Families Against Texting While Driving aims to arm law enforcement officials with the tools they need to crackdown on the dangerous and deadly habit.

Kelly Cline, whose son tragically lost his life in a texting while driving accident said, "The existing Secondary Law is simply not good enough. I've had so many people tell me that. Like me, they are so frustrated when they see people texting-while-driving – I hear lots of voices with the same concerns. That is why Senator Kennedy and I have formed Families Against Texting While Driving – so we can be one strong voice. One strong voice that Albany will hear. One strong voice that Albany will listen to."

Senator Kennedy said, "Texting while driving has become an epidemic. While more and more families are suffering through tragedies caused by distracted driving, motorists continue to take their eyes off the road to check their phones and send text messages. However, Albany has maintained state law in its current weak and flimsy form. We need to put teeth into the law and empower law enforcement officials with the tools they need to crackdown on texting drivers. Kelly Cline and I are launching Families Against Texting While Driving to bring families together to make Albany listen and to make Albany understand that stronger anti-texting laws will make our roads safer and help save lives. We're encouraging families throughout Western New York and across our state to join us in this important fight."

Mrs. Cline and Senator Kennedy outlined the initial action plan for Families Against Texting While Driving. The initiative starts with an effort to gather supporters who want to improve the safety of their roadways. Those supporters will then be encouraged to add their name to a letter that will be sent to every State Senator and Assembly Member urging them to co-sponsor texting while driving legislation. Cline and Kennedy also plan to host an afternoon phone bank to directly call state legislators' offices to follow up on the letter and to push for their support of the effort.

White Plains, N.Y. resident [Jacy Good](#), a distracted driving activist with [Focus Driven](#), lost her parents in a distracted driving accident which she survived. Since then, she has been fighting to eradicate distracted driving from our roads. Ms. Good has signed on as a supporter of the Families Against Texting While Driving effort.

Ms. Good said, "Every day, lives are shattered as a result of various distractions while behind the wheel of a multi-ton vehicle. Various uses of cell phones have taken a frightening lead in the number of crashes caused by distractions. My story of losing my parents and much of my body's physical abilities is unfortunately one of entirely too many of these stories that exists. It is a result of another driver's cognitive distraction, which was caused his conversation with a disembodied voice, and his resulting inattention blindness.

Ms. Good added, "We need to learn that driving is a not a right, but a privilege and that what we do while operating a car has the potential to seriously change not only our own life, but the lives of every single person on the road around us. We can only hope and pray that no more lives are destroyed by this distraction before the social conscience makes a U-turn and citizens stop all use of cell phones while behind the wheel before they lose a loved one, or perhaps worse, are the person who takes the life of someone else's loved one."

Texting while driving has affected lives across the state and nation. **Baldwinsville, N.Y. was the site of a recent texting incident** that has sparked outrage throughout Central New York.

A group of young students caught their school bus driver texting while driving. They informed their parents, who reported the incident to the school district. Local police reviewed video footage from the bus and obtained visual evidence of the driver texting while the bus was in motion with children as passengers. However, because texting while driving is only a secondary offense, the authorities could not charge the bus driver with any crime. Their visual evidence could not prove that she was violating any other traffic law, which prevented her from being hit with a texting while driving charge.

Baldwinsville Police Chief Michael W. Lefancheck was left frustrated by the incident. Current law prevented him from taking action against the texting bus driver. That's why he is a supporter of Families Against Texting While Driving. Chief Lefancheck said, "We had visual evidence of the bus driver reading text messages while operating the school bus with children in the back, but we could not charge her with any offense because New York's distracted driving laws are inadequate and ineffective. Current law locked us in a situation where we were defenseless as the driver put the lives of our schoolchildren in jeopardy. We need a strong law that will give police forces across our state the power to attack this deadly distraction head on. I urge the state to take swift action to pass legislation making texting while driving a primary offense, and I thank Kelly Cline and Senator Kennedy for leading our efforts."

Captain Michael Nigrelli, zone commander of New York State Police - Thruway, said, "We are dedicated to cracking down on the dangerous habit of distracted driving. With enforcement initiatives such as **Operation Hang Up**, the New York State Police are spreading awareness and stopping drivers who use their cell phones while behind the wheel. We are enforcing the

existing law to its full extent, but the current statute needs to be improved. Texting while driving should be a primary offense, so that police officers can immediately stop texting drivers that are compromising the safety of our roadways. Mrs. Kelly Cline and Senator Kennedy are commended for picking up this campaign to pass a law that will save lives and certainly improve roadway safety."

Erie County Sheriff Tim Howard said, "A year and a half ago, Erie was one of a handful of counties across the state that made it a primary offense to pull a driver over if they were seen texting and driving. It is about time New York State stepped up to the plate and did the same thing. Time is of the essence as texting while driving is a potentially deadly habit."

West Seneca Police Chief Edward Gehen said, "Texting while driving is a very dangerous activity that needs to be a primary offense in New York State. Our police department wants to protect the motoring public and crackdown on this deadly behavior, but we don't yet have a state law that fully enables us to stop texting drivers. I applaud the efforts of Kelly Cline as she leads the fight against texting while driving, and I am very pleased that leaders like Senator Kennedy and Assemblyman Schroeder have worked so relentlessly to advance the cause."

Hamburg Police Chief Michael Williams added his voice to the call for a primary offense texting law. He said, "Police need the ability to be able to act to prevent tragedies, not to react to them."

Zach Tomilo, a senior at West Seneca West Senior High School, stood up on behalf of his fellow students and made it clear that West Seneca West High wants a hard-hitting ban on texting while driving. With a surge in cell phone use among his peers, Tomilo called on other young drivers to put away their phones when behind the wheel and to join him in the fight

to end texting while driving.

[Click here to join Families Against Texting While Driving.](#)

You can also join the conversation at

www.facebook.com/FamiliesAgainstTextingWhileDriving.

Families Against Texting While Driving Action Items

1. A call to action – gather supporters for the cause.
2. Encourage supporters to sign on to a letter that will be sent to each and every state legislator, urging them to become co-sponsors of anti-texting legislation (S998B | A6174).
3. Participate in an afternoon phone bank to follow up on the letter to legislators and ask if they will stand with Families Against Texting While Driving in the fight to stop this dangerous and deadly habit.