



## The Glorious Acts of Our Legislature

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([PRWEB](#)) February 1, 2005 --I always have to remember to take a deep breath when examining the laws being proposed by our grand Legislature. I detest most of the new legislation on the table, but have to forgive our representatives in the House and Senate for it. After all, writing laws is what a Legislature does, and if they don't write enough laws, it can begin to look like they've been loafing.

Call me strange, but I rather prefer a Legislature that goofs off and under produces new laws. I'm convinced we have enough of them already, and agree with Mark Twain, who famously said that no man's life, liberty, or property is safe while the Legislature is in session. Mainly, that is because no lawmaker wants to look like a slacker, especially so soon after an election. It's bad form. As a result, we get some hideous proposals that I would chalk up as an effort to hide behind some broad good intention while looking meaningful, or at least busy.

House Bill 1508 is a textbook case as one such proposal.

Representative Vanessa Summers, an Indianapolis Democrat, has introduced legislation that would prohibit the use of cell phones, making exceptions for hands-free devices and for emergency use. The proposed fine for violations of the law would be up to \$25.

The intent is to make our streets a little less hazardous. We have all groused at the idiot guilty of driving while in conversation that cut us off or made us miss a light, and we have cursed the driver and his cell phone. Summers' proposal takes its cue from similar laws passed in New York and the District of Columbia. As everyone knows, these cities now have the safest streets in the world.

This law is rife with problems, from practical application to the higher concerns of individual liberty. I know four friends, right off the top of my head, who would gladly pay up to \$25, as a cost of doing business. They think this highly of each and every one of their calls. \$25 is no kind of deterrent for these people.

What is emergency use? I define emergency use of a cell phone as a frantic call to a friend because I suddenly had two tickets offered to me for a Colts' playoff game, and I have to accept within five minutes, or the tickets will be passed on to a co-worker. My wife defines it as having found a deal on furniture, and she's on her way home so I can look at fabric swatches. I'm betting that this is not what the Representative has in mind. Some revisions will be in order.

But why just cell phones? If the real intent of the law is to eliminate distractions from our roadways, why not ban them all? Summers could justifiably expand the proposal to include a ban on smoking in the car, adjusting the radio or inserting a Britney Spears CD, eating fast food, scolding the rug rats in the backseat, talking with your spouse, shaving or applying makeup, doing the crossword puzzle, using a laptop computer, calling for on-screen directions to Starbucks, and rehearsing your excuse that explains your tardiness to the boss.

Could we really ban Britney Spears CDs? I digress.

Before the law is done with revisions, no common person will be able to read and understand it, and mainly,



drivers will just continue to take their chances.

This begs the significant philosophical question: Why bother?

Isn't it sufficient that citations can already be issued if the use of a cell phone is the cause of an accident? Why pile on? No harm, no foul: If the use of a cell phone isn't endangering anyone in the moment, why penalize for the harm that was not caused?

Ah, the law is to be a deterrent, to eliminate the possibility of harm. But won't it also become more than that? How much of a stretch is it to envision police pulling over drivers who endanger nobody on a deserted road at 11pm, but who are guilty of making a cell call, just so the officer can meet his monthly quota? Isn't that a harm all its own? Say, if the police pull a driver over to the side of the road, isn't that the sort of distraction that could cause an accident? It should be banned!

Let's hope this Bill dies in committee. If it passes, Summers will run for re-election in 2006 on the basis of having produced this wonderful law and of having been suitably busy.

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By Mike Kole

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