

Distracted driving is not unique to teenagers. Adults also talk on cell phones, sip coffee, change CDs and do all sorts of other things that take their eyes off the road.

But the problem of distracted driving is especially challenging for teenagers because they are still learning to drive. Teens seem to know this, too. A recent poll conducted by AAA and Seventeen magazine showed that although 84 percent of teens know it's dangerous to drive while distracted, 86 percent of them admit to having done so.

Statewide Legislation

Naturally, then, the subject of restrictions on teen driving has attracted legislative attention. A few Pennsylvania communities, including Philadelphia and Harrisburg, have adopted local ordinances banning driving for all ages while using a handheld cell phone or text messaging. House Bill 67, originally approved by the Pennsylvania House of Representatives in April 2009, was intended to provide a statewide solution to the problem of distracted teenage drivers.

House Bill 67 would have prohibited anyone with a learner's permit or provisional license from driving while talking or texting on a cell phone. The bill would have made this behavior punishable by a \$100 fine and made it a primary offense. In addition, the bill contained restrictions on the number of passengers teenage drivers can carry. It would also have given law enforcement officers the ability to pull over drivers under 18 who are not wearing a seat belt.

Primary vs. Secondary Offense

When something is classified as a primary offense, law enforcement officers have the authority to stop someone who is engaged in that conduct. This is unlike a secondary offense, for which citations can only be issued if the driver is stopped for another violation or gets in an accident.

After the House passed House Bill 67 as part of a broader teen safety measure, the bill went to the Pennsylvania Senate. The Senate proceeded to weaken the bill by making cell phone and text messaging enforcement only a secondary offense, not a primary one. The Senate approved this amendment by a 44-3 vote, but the House would not go along with a watered-down bill. On July 1, the House voted 126-71 to reject the Senate's amendments.

Despite this legislative setback, helping teenagers become safe drivers remains of primary importance – even if distracted driving is still classified as a secondary offense.