

Failure To Yield

This Bill is not just about motorcycles, it is about all users of the states highways and thoroughfares taking personal responsibility for their driving habits. There is no such thing as a traffic **accident** caused by inattentive driving since the driver intentionally chooses to be distracted doing other things while driving. The driver is responsible to use safe driving habits at all times.

There are indisputably many distractions built into a vehicle today not to mention, those distractions the drivers themselves come up with. Talking on the cell phone, chastising the kids, retrieving a dropped object from the floor, grooming, just to name a few. These combined, form bad driving habits that cause drivers not to pay attention to their driving and they therefore cause a **Collision**. Tests have shown that using a cell phone even with hands free reduces reaction time 50% more than driving with a BAC of .08.

We do not advocate making the sensible use of cell phones illegal. That would simply result in many more tickets and a more negative view of law enforcement officers. We do ask for a harsh penalty if the use of that device causes a collision.

The majority of collisions that involve motorcycles are caused by inattentive drivers failing to yield right of way to the rider. Of course some are the fault of the rider who would be covered under this Bill the same as any other driver. Basically a person who fails to yield right of way causing a collision resulting in bodily injury or death generally serves no jail time and only pays a small fine. This is not acceptable for anyone.

We asked Representative Hopson to Author a Bill that would require a greater penalty for those who through their inattentive driving habits, fail to yield the right of way to others. If the act of violation causes a collision which results in bodily injury or death, the sentence must result in harsher fines and or jail time or both.

If it can be shown that use of an electronic device (cell Phone) was being used which caused the collision then \$ 1,000 fine shall be added to the penalty.

A judge granting community supervision to a defendant convicted of an offense under Section 545.153, Transportation Code, shall require as a condition of community supervision that the defendant submit to not less than 10 days of confinement in jail if the offense resulted in bodily injury or death.

We are open to negotiation on the actual wording of the Bill, but something has to be done to prevent the carnage created by inattentive drivers.

Thank you for your time.