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News

## Local police ready for texting ban

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By Carol Hopkins  
For the Daily Tribune

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Oakland County Sheriff Mike Bouchard recalls once seeing a woman driver putting on mascara using both hands. He recently saw someone driving while holding a newspaper propped on the steering wheel.

Bouchard, like most police officers, isn't happy when drivers use cell phones to text.

But he said he sees a "big challenge" ahead for police trying to enforce the new state law that prohibits texting while driving.

"How will deputies determine whether the driver is checking a (handheld GPS device)?" he asked.

Bouchard said he wanted all distracted driving to be included in the bill.

"I think (the lawmakers) missed their mark with this," he said. "A simpler fix would have been to write it right in the first place."

The new law, which went into effect Thursday, allows police to pull over drivers solely for using their cell phones to send or read text messages or e-mails. The text messaging legislation was signed into law on April 30.

Touch-tone calling on a cell phone will still be allowed.

Most police contacted Monday agreed with Bouchard.

"It's a great law. It's just going to be hard to implement," said Ken Hurst, Keego Harbor police chief.

"It's going to be extremely hard for officers to say that a person was texting. What they should do is stop all communications on the phone in the car."

Troy Lt. Michael Lyczkowski said the department was anticipating departmentwide training instructions on Monday.

"We're going to enforce the law," he said.

Meanwhile, he said, the city attorney is working on drafting a distracted driving ordinance for Troy.

"It includes the state (texting ban) law but will allow police to enforce any other distractions, such as talking on cell phones or eating," Lyczkowski said, adding the ordinance adoption was not imminent.

Waterford police Sgt. Scott Good said distractions of any kind while driving can have serious implications.

"Texting requires you to take your eyes off the road and shift your attention away from driving," he said.

"The law is designed to prevent that from happening and keep you and the other motorists safe while driving. If you pull over to text, do so in a safe manner, remembering not to put yourself or your vehicle in an unsafe environment."

Lt. Corey O'Donohue with Royal Oak police said the department was reviewing the ban.

"I don't expect a lot of initial violations until we get a handle on it," he said. "How (officers) will know what a person is actually doing is a good question."

Anne Readett, spokeswoman with the Michigan Office of Highway Safety Planning, said the new law is mainly about bringing attention to texting and driving.

"It's about changing behavior," she said. "It's getting people to understand it's illegal."

She said the state has never had an outright texting ban.

Readett said, in the past, new laws have brought about positive changes and awareness of a problem.

As for police trying to make determinations of dialing or texting, she said an officer will probably notice some other traffic issue first, such as "weaving or driving too closely," she said.

"And then (the officer) will see the driver texting. The officer has discretion and can issue a verbal warning or a ticket."

On Monday, the Michigan Office of Highway Safety Planning kicked off a campaign urging Michigan drivers to keep their "Thumbs on the Wheel."

The effort involves billboards, posters and a public service announcement featuring talking thumbs.

Billboards put up around the state remind drivers to hold off on text messaging, carrying the phrase text back later ("txt back L8R") and one of two accompanying messages: "OR PAY \$100" or "IT'S THE LAW."

*FYI*

Michigan's texting ban includes exceptions, which means the following are acceptable:

Making a call and talking on a phone.

Dashboard-mounted GPS devices.

Texting while at a stoplight or on the side of a road.

Texting to report crimes.

A first texting-while-driving offense brings a \$100 fine, and subsequent offenses are fined at \$200 each.

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