

ENGLAND

# Mass. Governor Signs Distracted Driving Bill

BY STEVE LEBLANC  
Associated Press

BOSTON — Massachusetts has joined every other New England state by banning drivers from using hand-held cellphones behind the wheel.

Republican Gov. Charlie Baker signed the bill into law Monday. It takes in effect 90 days.

"Operators driving a car should not be holding a phone to text, check social media or email," Baker said moments after signing the measure. "When a driver on an electronic device hits something or someone, that's not an accident. That's a crash that was avoidable."

The law calls for a \$100 fine for a first offense, \$250 for a second offense, and \$500 for subsequent offenses.

Drivers will still be allowed to use hands-free cellphones. Massachusetts already banned texting while driving.

The law also requires the Registry of Motor Vehicles to collect

data from traffic stops, including the driver's age, race and gender, without identifying the driver, to help identify police agencies that may be engaging in racial profiling.

Emily Stein, whose father was struck and killed by a distracted driver in 2011, hailed the new law even as she recalled others who have been killed by drivers looking at their cellphones.

"Time does not heal all the pain that distracted driving has caused our community," said Stein, who pushed for the law. "But together we have been able to take steps to reduce that preventable pain."

The law would still allow drivers to view maps generated by navigation systems as long as the electronic device is mounted on the car's windshield or dashboard.

The legislation also states that a driver using a cellphone in response to an emergency can use evidence of the emergency — such as a disabled vehicle, accident or medical emergency — as an affirmative defense.

State lawmakers overwhelmingly approved the measure this month.

The law seeks to curb racial or gender profiling by requiring the collection of data from traffic stops — not just the race, age and gender of the driver, but also the date and time of the offense, the municipality where it occurred, whether there was a search as a result of the stop and whether it resulted in a warning, citation or arrest.

That information will be turned over to a university or nonprofit organization to be analyzed. The state must release a public report each year based on the data.

If a police agency is found to have engaged in racial or gender profiling, they would be required to gather more detailed traffic stop data and undergo implicit bias training.

Twenty states and the District of Columbia prohibit drivers from using hand-held cellphones while driving, according to the National Conference of State Legislatures.

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A driver uses her cell phone while driving in Portland, Maine. A bill to ban the use of hand-held cellular devices while driving in the state went into effect on Thursday. (AP Photo/Robert F. Bukaty)

## Tougher new distracted driving ban in effect

PORTLAND, Maine (AP) — A new Maine law that prohibits the use of hand-held phones and other devices while driving is now in effect, and police will be keeping an eye out for violations starting Thursday.

The new law adds restrictions to the state's rules against distracted driving. It states that no one can operate a vehicle "while using, manipulating, talking into or otherwise interacting with a hand-held electronic device or mobile telephone." The law calls for a first-offense fine of no less than \$50, but a judge with the ability to set the fine has put it at \$230. Fines will climb with further offenses.

"The troopers will be looking for violations, and this will be one of them," Maine State Police spokesman Stephen McCausland said.

Police agencies in the state have been "proactive in getting the word out and assisting drivers with the change," McCausland said. He said the new rules will mean converting to newer technology that enables a driver to use a phone while keeping both hands on the wheel.

The new rules allow drivers to use mobile phones and devices in hands-free mode. They also state that drivers may use a device to communicate with law enforcement or emergency services if they are facing an immediate threat to their health or wellbeing.

The rules also state that a person who has pulled over to the side of the road and has stopped moving and "can safely remain stationary may use, manipulate, talk into or otherwise interact with a hand-held electronic device or mobile telephone."

That means a driver must pull over to plug an address into a GPS rather than attempting to do so while driving, for example.

Democratic Sen. Bill Diamond of Windham issued a statement Wednesday that said distracted driving has reached "epidemic proportions on Maine roads." He cited statistics from the AAA Foundation for Traffic Safety that said more than half of drivers have said they've used a hand-held cellphone while driving at least once in the past 30 days.

Other bills that go into effect Thursday include a requirement that most children who ride in cars do so in rear-facing car seats until they are 2 years old. Another law prohibits electronic smoking devices at schools.

st Delays Harvard-Yale Game

Student among 3 hurt in



act of climate change; two is the housing crisis; and three is congestion. Commuter rail is the single biggest thing we can do to solve our housing crisis—we can completely open up areas to both residential and business growth. Then your economic opportunities aren't tied to where you can get to from where you live, and your housing choices aren't limited to how you get to where you work. That would dramatically broaden the regional economy and increase labor mobility. The benefits are law-dropping.

It's going to be expensive—about \$30 billion—and that cost is going to feel crazy, because we haven't done a big infrastructure project since the Big Dig. But the return on investment is so much more massive. The United Kingdom is spending \$100 billion connecting their northern cities to the south; Toronto is just finishing a \$60 billion project.

Boston is already a global leader because in the past century we developed this infrastructure and this right-of-way. We've let it get underutilized and underinvested, so let's make the bold capital plan we need to give ourselves this great resource.

## MAX GRINNELL

*Urban planning expert  
visiting lecturer at Massachusetts  
College of Art and Design*

## BETTER PR FOR THE MBTA

It would be neat to commission local artists, and possibly Boston public school students, to design public service advertisements for the MBTA, using the phrase "We're All in This Together." That phrase contains three Ts, so using the T symbol they could do different typefaces and arrangements. Then roll them out on buses, trolleys, and even ferries.

Another approach, which I do with my students in urban-design class, is to have them create haikus based on some aspect of their MBTA experience: the good, the bad, the ugly. Maybe it's about a thoughtful conversation with a stranger on the 66 bus or helping an older person with their bag.

The MBTA could set up a way for people to vote and display the winning haikus on certain routes. These aren't going to solve the more grievous problems, but think about it as a campaign to celebrate that shared experience with a bit of public art and some whimsical design. Anything that improves the ride helps.

## REVEREND LAURA EVERETT

*Author, Holy Spokes: The Search for  
Urban Spirituality on Two Wheels*

## END DISTRACTED DRIVING

► As somebody who regularly travels around the city by bike, I have a front-row seat to the distracted driving of many Bostonians. I've seen people texting, watching video, Snapchatting, and playing Pokemon Go! It's this wild competitiveness and productivity we feel here; if there is a down moment, you feel like you should respond to a text or check on a score. That distraction means you are not paying attention to the people around you, and that negligence can be deadly.

If we're going to cut down on collisions that both endanger people and add to our massive backups, we need to look at the people who can do the most damage, and far and away that is when we are behind the wheel of a car.

## TRACY CORLEY

*Transit-oriented development  
fellow, MassINC*

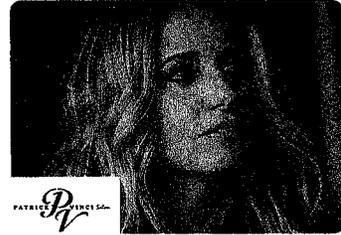
## INVEST IN GATEWAY CITIES

► For too long we have been designing our communities so that all of the activities are concentrated in major metropolitan hubs such as Boston, and everywhere else is just housing. That is what is causing congestion. By revitalizing our gateway cities and making them hubs of activity, we can ease people out of traffic on our roads and lower usage on our rail systems.

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# CAN'T TOUCH THIS

Using a phone while driving? By law, it must be hands-free  
*By Alexandra Pecci*

**W**atching a movie, scrolling through Instagram, FaceTiming friends, browsing the Internet: They're all fun smartphone activities. They're also things law enforcement officials have witnessed people doing while driving.

"We've all become so dependent on our cell phones," says Maine State Senator Bill Diamond. "We've seen the explosion of use and therefore the explosion of distractions on our highways."

Diamond sponsored Maine's new "hands-free" law that took effect September 19, 2019. It **bans drivers from using a cell phone or other handheld device while operating a vehicle, except in "hands-free mode."** Maine is the 20th state nationwide to implement such a law; of the New England states, Massachusetts is the only one not to have done so.

According to the National Highway Traffic Safety Administration, distracted driving killed 3,166 people in 2017. Diamond says distracted driving is as dangerous as drunk driving.

"The end result is essentially the same," agrees

Pat Moody, director of public affairs and government relations for AAA Northern New England. "It's pretty devastating. These two driver behaviors are causing a lot of tragedy on the road."

That's why AAA has embarked on a multiyear, multimedia effort against distracted driving that drives home the message, "Don't Drive Intoxicated. Don't Drive Intexticated."

Diamond and Moody say there needs to be a cultural shift in the public's perception of distracted driving. "We're trying to get the same social stigma around distracted driving that there is around intoxicated driving," Moody says.

Diamond says public support—especially among young people—is crucial to culture change. "We like it when kids tell their parents, 'Don't be on the phone, it's not safe,'" Diamond says. "I think the public is very supportive of this because we all witness it every day."

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**Alexandra Pecci** recently wrote about Exeter, New Hampshire, in *Northern New England Journey*.

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