

October 02, 2013 /**24-7PressRelease**/ -- After several years of coverage by the media, the American public is now considered to be on notice about the dangers of reading, sending or composing text messages while driving. Statistics like the study by the Virginia Tech Transportation Institute, which found such behavior triples one risk of being involved in a [car accident](#), has been cited in many news stories of the past three or four years. Yet, despite the fact that texting and other forms of distracted driving was responsible for 3,331 deaths in 2011, many people cannot put down their phone while driving.

As a result of the reluctance of many people to put safety first, many states, including Tennessee, have passed laws banning texting while driving. However, does the current law go far enough to reduce the number of texting-related accidents? According to the federal government, the answer is a resounding no, as Tennessee was recently denied hundreds of thousands of dollars in federal highway grants.

Lax law to blame

Under the recent federal highway safety law, Congress appropriated \$17.53 million to states to be used to fight distracted driving. The funds were to be distributed by the National Highway Traffic Safety Administration to states that have banned texting while driving. Many of the states use the funds to pay for highway safety such as drunk driving or seatbelt checkpoints as well as advertising safety campaigns.

Although Tennessee's law met most of the requirements to receive the federal funds, it fell short in one area: it did not have a provision for repeat offenders. Under Tennessee's texting ban, violators are guilty of a Class C misdemeanor and can be subject to fines up to \$50 and court costs of up to \$10. However, this punishment remains the same for first-time and repeat offenders. Since there was a condition that the state enact a texting law that provides for escalating punishment for repeat offenders in order to receive the funds, Tennessee's law was considered too lax for the state to qualify.

In response to the failure to secure the funds, State Rep. Jon Lundberg recently announced that he plans to introduce legislation in 2014 to beef up the law. According to Lundberg, his proposal would increase the fine for first-time offenders to \$250. Additionally, his proposal would increase the fine for subsequent offenders. Finally, his proposal would punish drivers convicted of texting while driving with points on their license.

Consult an attorney

Although Tennessee's current texting while driving law may leave something to be desired as far as punishment goes, it is likely that no law, no matter how stringent, could prevent all persons from engaging in this risky behavior. Fortunately, there are legal remedies available to those who are injured by a driver texting or engaging in other carelessness.

If you or a loved one have been injured in a car accident and suspect driver distraction is to blame, contact an experienced personal injury attorney. An attorney can investigate the cause of the accident and fully advise you on your right to compensation for your losses under the law.

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