

Distracted Driving . . . A Few Deadly Dangerous Seconds

Newspapers and broadcast news are full of stories these days about ghastly accidents caused by distracted drivers. Every day, people climb into motor vehicles and proceed to text, make and receive calls on a cell phone, check emails on a smart phone or laptop, eat and drink, apply make-up or shave, read maps and newspapers, use a digital navigation system, watch a video, or adjust the car's radio, CD player, or other equipment.

These drivers are behind you, in front of you, and on each side of you, and may even be you. These people are under the impression that they are "multitasking" – getting the most of each moment in their day by successfully doing two, three, even four tasks at one time – one of which is propelling a vehicle weighing anywhere from 2,500 lbs to well over 80,000 lbs down a highway at speeds from very slow to very, very fast. It is no wonder that the U. S. Department of Transportation's National Highway Traffic Safety Administration reports that in 2009, 5,474 people

were killed in crashes involving driver distraction. A full 20% of injury crashes in 2009 involved reports of distracted drivers, with 448,000 people injured.

Multitasking is a myth. Human brains do not "multitask" – they "select." Your brain is constantly engaged in the process of picking and choosing what it needs to focus its attention on at any given second. For every piece of information placed in front of your brain, it must select the information it wants to process, process that information by sending instructions and additional information to the body, encode the information to memory and store it, retrieve the information and related data, and execute the

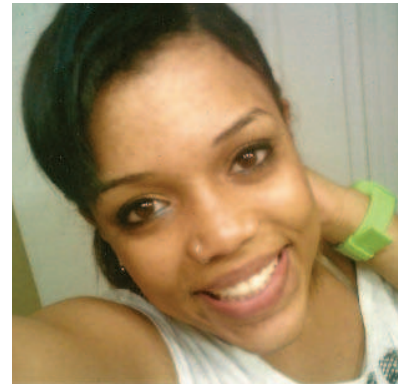
body's actions in response to that information. Eating a drippy hamburger, sipping coffee, checking the highway signs, confirming the route on your map, answering the cell phone and responding with a text message, watching all of the traffic around you, and checking to see if your hairstyle has been mussed by the wind – all of these tasks are firing information at your brain at the same time. Periodically, the brain goes into overload and the brain's owner slips into a condition known as inattention blindness. In January 2004, a 20-year-old woman drove through a red light while talking on her cell phone. Witnesses reported that she was looking straight ahead through her windshield at the red light and right-of-way vehicles crossing her path. One of those vehicles held a 12-year-old boy who was killed when she crashed into it.

Nearly all of NHTSB's reports show that texting is the worst culprit in distracted driving. Drivers take their eyes off the road an average of 4.6 seconds out of every 6. This is the equivalent, at 55 miles per hour, of driving the length of an entire football field with your eyes shut. Texting drivers are 23 times more likely than non-texters to be involved in a crash or near-accident. And, to scare you even more, in June 2011, more than 196 billion text messages were sent or received in the U. S., up nearly 50% from June 2009. It is clearly time to "stp txtg." Use hands-free cell phones. Preferably, stop using any phone at all while driving. ♦

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Young Woman Dies in Auto-Truck Collision

On the evening of March 29, 2011, Liz Mariaca suffered a parent's worst nightmare: she was told that her 18-year-old daughter, Jahmila Bertie-Mariaca, and Jahmila's best friend, Mazelle Demeraski, had both been killed in a horrific car crash. Ms. Demeraski was driving on a south Florida highway when a tractor-trailer turned onto the roadway right in front of the car. Nothing could be done to avoid the crash. Both young girls were killed and a rear-seat passenger was injured.

Seeking legal recourse for this tragic accident, Ms. Mariaca retained SDSBS attorneys **Jack Scarola** and **Patrick Quinlan**. The attorneys successfully orchestrated a comprehensive, multi-party settlement. The case was complex, involving multiple law firms, limited insurance coverage on the truck, and a separate underinsured motorist claim. Within 90 days of the incident, a settlement was reached for Jahmila's family. While no amount of money can compensate Ms. Mariaca for the loss of her daughter, the firm was pleased to assist in bringing this matter to a speedy and successful resolution. ♦