

The "Nanny State" Diaries

The Politics of DWT Legislation
in a Libertarian Legislature

Presented by **Representative Steve Farley**
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In Arizona...




We do things a little bit differently



In Arizona...


- It is illegal to drive with an unrestrained dog in your pickup bed
- It is legal to drive with an unrestrained child in your pickup bed
- There is no primary seat belt law
- There is no booster seat law for kids older than 5



In Arizona...

- The legislature has been controlled by Republicans since 1966
- Moderate Republicans have been repeatedly defeated in the primaries
- Ideology often trumps pragmatism
- Committee chairs often refuse to hear bills they personally disagree with


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In Arizona...

- General election voters have been voting in a more moderate fashion
- The largest single party in Arizona is Independent / No Party Preference
- Most Arizona voters prefer pragmatism to ideology and political infighting

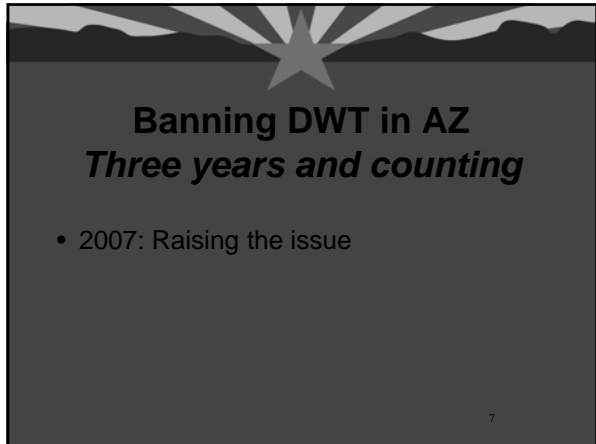
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In Arizona...

- Voters agree that driving while texting is a problem that must be addressed
- Polls show 87% support statewide ban
- But bills to do so have been quashed in blatantly partisan and ideological ways in each of the last four sessions

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Banning DWT in AZ
Three years and counting

- 2007: Raising the issue

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Banning DWT in AZ
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- 2007: Raising the issue
- 2008: Gaining new allies

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Banning DWT in AZ
Five years and counting

- 2007: Raising the issue
- 2008: Gaining new allies
- 2009: Crossing party lines

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- 2007: Raising the issue
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- 2010: Passes Senate, dies in House

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Banning DWT in AZ
Five years and counting

- 2007: Raising the issue
- 2008: Gaining new allies
- 2009: Crossing party lines
- 2010: Passes Senate, dies in House
- 2011: Breakthrough?

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Arizona opponents

“Let’s not become a nanny state where everything has to be legislated and mandated.”



Arizona opponents

“Let’s not become a nanny state where everything has to be legislated and mandated.”


—Current Director, Arizona Governor’s Office of Highway Safety



Arizona opponents

“There are already a number of laws on the books dealing with dangerous driving behavior. These laws are adequate. I don’t think we need any more laws.”

—Chairman, House Transportation Committee



Arizona opponents

But who led efforts to preserve a law requiring all convicted drunk drivers to install an ignition interlock device on their cars?



Arizona opponents

But who led efforts to preserve a law requiring all convicted drunk drivers to install an ignition interlock device on their cars?

*—That same Chairman,
House Transportation Committee*



Arizona opponents

“There are a multitude of behaviors that you should not be doing while driving. They range anywhere from potentially texting to smoking a cigarette, whatever.”

*—Lobbyist for the Arizona
Competitive Telecommunications Association*



Arizona opponents


“These laws are almost impossible to enforce, as most ‘texting’ drivers don’t display their cell phones within sight of passing cops.”

—2008 editorial, East Valley Tribune



Arizona allies

Victims' families



“As long as one life can be saved, then why not pass it?”

—Vinnie Sorce, widow of Stacy Stubbs, who was killed in Arizona by a texting driver in August 2007

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Arizona allies

Media

January 2007:




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Arizona allies

Media

August 2007:



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Arizona allies

Media

“An official state ban would do a lot to set a standard and inform people of the widespread recognition of this practice as dangerous.”

OPINIONS

State should ban text-messaging while driving

Sept. 9, 2009 12:00 AM
The Arizona Republic

—Arizona Republic Editorial, September 9, 2009

Arizona allies

City Councils


“It is important the City Council sends a message to the community about what is safe activity and what is not, and text messaging while driving is not.”

Phoenix Passes Text Messaging Ban
All City Council Members Present
PHOENIX, Ariz. (AP) — Phoenix City Council passed a resolution Monday to ban text messaging while driving.

—Phoenix City Councilmember Greg Stanton, who took up my DWT legislation and passed it on a city level

Arizona allies

Automobile Organizations

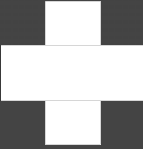


“[DWT] is one of the biggest distractions facing teens, but also facing everyone today.”

—Linda Gorman, public affairs director for AAA Arizona

Arizona allies

Emergency Physicians and Nurses




“Making text messaging while driving illegal in Arizona will curtail accidents and save many from sustaining life-threatening injuries, paralysis or brain injuries.”

—Arnie Fonseca Jr., an exercise physiologist who works with Arizona patients suffering from traumatic brain and spinal injuries

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Arizona allies

Insurance Companies




“It's hard to argue that [DWT] isn't unsafe, and the fact that it's done by drivers who are younger adds to the risk.”

—Ann McCartt, senior vice president of research, Insurance Institute for Highway Safety

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Arizona allies


Wireless Providers



“Verizon Wireless has the position that it can support legislation banning text messaging while driving.”

—Michael Bagley, Executive Director for Public Policy, West Area, Verizon Wireless, which supported my 2008 DWT bill along with Sprint and AT&T

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In conclusion...

- Persistence is key in overcoming partisan and ideological roadblocks
- Build coalitions with fellow travelers
- Appeal to the public through media
- Look for unexpected allies
- Always remember, we are saving lives

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