

3PointTurn – Episode 6: Choice vs. Consequence

FLHSMV:

You're listening to 3PointTurn, a driver safety podcast presented by the Florida Department of Highway Safety and Motor Vehicles. In promotion of a safer Florida, FLHSMV offers this educational series as a supplemental resource to the Florida Driver License Handbook. For more information on the topics presented in this podcast, please visit FLHSMV.gov.

On this episode, the FLHSMV team talks about the consequences of dangerous driving behavior, such as driving while impaired, speeding, and distracted driving.

Derek Perez:

Welcome to 3PointTurn. I'm your host, Derek Perez. For the second straight episode, I'm joined by Master Corporal Patricia Jefferson-Shaw, who's a 29-year veteran of the Florida Highway Patrol, and the public affairs officer for Troop H, based in Tallahassee. Corporal Shaw, this might very well be the most impactful podcast episode of the 3PointTurn series.

We're talking about Choice vs. Consequence, and within that framework, we're looking at three areas that will have serious consequences for drivers who make the wrong choice. We're talking about driving while under the influence of alcohol or narcotics, speeding, and driving while distracted. I know this set of topics is of particular importance to you. Would you like to explain to our listeners why that is?

Master Corporal Patricia Jefferson-Shaw:

One thing you have to look at, as far as the three topics that you just brought up, Derek, it could cost you your time, it can cost a lot of money, it could even cost you your life. A lot of people don't focus when they get behind the wheel. Whether you're under the influence, you're distracted, whatever you may be doing, it could cost the life of someone. Whatever you decide to do in life, it has a consequence, whether it's behind the wheel, if you're in a classroom, wherever it may be, so you have to make sure you're focused and make the right decision, because every decision that you make has some type of consequence.

Derek Perez:

And one poor decision could be a lifelong repercussion. No one wants that. Now as we say here at 3PointTurn, we want to discover, debate, and drive home the information for each episode. Driving under the influence, however, isn't up for debate. Most people associate DUIs with alcohol, but that's not the full definition, is it, Corporal?

Master Corporal Patricia Jefferson-Shaw:

No, it's not, Derek. Driving under the influence could be driving under alcohol, it could be driving under drugs, it could be even driving under prescription drugs, even the prescription drugs that you receive from a doctor. They have stipulations to them when you can and you cannot drive. So yes, DUI involves more than driving under the influence of an alcoholic beverage.

Derek Perez:

As you said, DUI is much more than just alcohol. If you have anything in your body that impairs mental and visual skills, or slows your reasoning, or alters the physical ability to drive, then you are impaired and a risk to drivers on the road. How is law enforcement trained to spot impairment?

3PointTurn – Episode 6: Choice vs. Consequence

Master Corporal Patricia Jefferson-Shaw:

Well, we go through extensive training at the Florida Highway Patrol Academy. Also throughout your career, we do training. Every year, we go through extensive training to make sure everybody has a refresh. As you're driving down the roadway, one big clue of knowing someone that's possibly under the influence is they straddle the line. Compared to a normal driver, if they're not under the influence, will drive down the middle of the roadway, within their lane. A DUI will not. They'll straddle the line, they'll swerve back and forth.

One of the biggest things is when you're driving under the influence and you come up to a traffic light, your body is so relaxed. The majority of the time, the light is green, but you're still there because you've fallen asleep, so there's so many different clues to let us know that you're driving under the influence.

Derek Perez:

As we said, a DUI is more than just alcohol, but alcohol can sometimes be the source of impairment. A blood, breath, or urine test can be used to identify your level of impairment. For a driver 21 or older, a blood alcohol level of .08 or higher will trigger an arrest and suspension of your license, but remember, Florida has a zero-tolerance policy. The legal drinking age in Florida is 21. If you're not 21 and register a blood alcohol level of just .02, you will have your driving privileges suspended for six months. If your blood alcohol level is .05, your license will be suspended, and you'll be required to attend a substance abuse course. Parents or legal guardians will also be notified if the driver is 19 years old or younger.

Now, if one is stopped for a DUI, what kind of tests are administered, and what happens if a new driver refuses to take a test?

Master Corporal Patricia Jefferson-Shaw:

If you're stopped for driving under the influence, like any law enforcement officer, there's a variety of exercises that we go through, and one of the exercises that we do is the horizontal gaze nystagmus, and that's one easy test to do because all you're doing is standing straight up with your hands by your side, looking straight forward at the officer. The officer, with our agency, we have pens that have a little light tip. With that light tip, all you're doing is following the tip of that pen with your eyes, but while you're following the tip of that pen, you have to make sure you do not move your head at all. Within that particular exercises, there are different clues that we look for, whether that's smooth pursuit or maximum deviation, to make sure that you can follow that pen, no matter if it's going to the left, to the right, or we're just holding it steady.

When it comes to our young drivers, they have to also realize, when you're under the age of 21, the consequences you may not think as hard, but you're starting your life out at a hard battle, because now you're holding something, and if you are charged with driving under the influence, that's something that stays on your driving record for 75 years. That is a long time to have something on your record, so it's best to make sure if you want to drive, drive sober. If you want to drink, have a designated driver. As most say, "Have that DD."

Derek Perez:

Now, I did mention what happens when you refuse to take a test. Now, I'm given to understand that when you sign up for your driver license, you have legally agreed to take a blood alcohol test, is that correct?

Master Corporal Patricia Jefferson-Shaw:

3PointTurn – Episode 6: Choice vs. Consequence

That is absolutely correct, and most drivers don't look at their driver license. They're so happy to get a driver license, to know that they've passed the test, but they fail to look at the little writing at the bottom that states that you will submit to an approved test of your blood, breath, or urine, and a lot of them don't look at that, and when you show them the fine print, they're amazed, they have no idea it's on their driver license.

Derek Perez:

And refusal to take a test, when asked, is an automatic one-year suspension of a driver license, is it not?

Master Corporal Patricia Jefferson-Shaw:

Yes, and if it was a prior refusal, then it goes up to 18 months.

Derek Perez:

Of course, we're discussing choice versus consequence. We've outlined a few, but let's break down consequence a little more for those who make the poor choice to drive while impaired. Corporal, what kind of consequence can we expect?

Master Corporal Patricia Jefferson-Shaw:

Well, when you're driving under the influence, one of the biggest things is not making it home, and in the process, you have a lot of the drivers that's driving under the influence, they get involved in crashes that in turns turn into fatalities, and they had no idea that they were involved in a crash. You get some that they hit people and they take off because they know that they're under the influence, so now we have a hit and run crash with them being under the influence.

Through all the processes of you driving under the influence, if you get caught, you have to pay for that consequence. That consequence may be a day in jail and have fines afterwards. If, in the process of you driving under the influence, and you kill someone, the consequences get greater. It's not just a suspension of your driver's license, it could be jail time. Now your family loses you, while the other family has the loss of their loved one.

Derek Perez:

A real tragedy. I do have a list I'd like to share, most of these were covered by the Corporal, but I cannot impress enough on young drivers the seriousness of what can happen when you're driving under the influence. The thing we're trying to avoid the most with our DUI laws, I understand, is the loss of life, either yourself, a passenger, a pedestrian, or another driver. Now, if a person happens to survive a crash involving an impaired driver, the damage could still be catastrophic. Paralysis, loss of a limb, and other major injuries can occur.

The only thing that stops a vehicle in motion, besides your brakes, is another object. Drivers who are impaired can hit parked cars, buildings, bicycles, trees, telephone poles, and more. People who drive impaired often make things worse, as Corporal Shaw pointed out, by leaving the scene, further incurring hit and run charges. DUI convictions are going to break you financially, anywhere from 500 to 2,000 for just a first-time offender, and sometimes employers will fire employees who get a DUI, compounding your financial difficulties.

The more DUI convictions you get, the higher your fines will be. Now at a minimum, a conviction will levy a six-month suspension of a license. Guilty drivers will also be required to complete advanced driver

3PointTurn – Episode 6: Choice vs. Consequence

courses, or retake their driving test. Habitual offenders may even have their license privileges permanently revoked. And of course, besides bodily harm and death, you can expect anywhere from up to 50 community service hours, or a year in jail, as the result of a DUI conviction. The penalty could be much more severe if another person is injured or killed, or if the driver flees the scene of the crash.

Remember, driving is a privilege, and with that privilege comes freedom, but everyone must abide by the rules meant to keep everyone safe. Failure to do this could mean the end of your driving privileges, and the end of your freedom to drive. I have a friend who has been convicted of DUIs four different times in his life. Now he's in his late 30s, and will never drive again. He's forced to rely on public transportation or others for rides for the rest of his life. DUIs can be avoided by choosing not to drive impaired. Always use a designated driver or a rideshare service if you plan to drink. Wow, that was a lot on a very heavy topic.

Master Corporal Patricia Jefferson-Shaw:

Yes it was, Derek, but it's a topic that everyone needs to know. Whether you're a teenager or you're an adult, it's something that needs to be brought to the attention of everyone. Do not drive under the influence. Like you said, get a designated driver. We have things as Uber, Lyft, there's so many ways that you can get home safely. It's a very touching subject, Derek, but it's something that everyone needs to know.

Derek Perez:

So true. Corporal, let's take a moment, catch our breath, and we'll be right back to spend a little time on speeding.

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It's late, you're yawning, drifting into other lanes. This is drowsy driving. It caused over 4,200 crashes in Florida last year. The Florida Highway Patrol reminds you to get enough sleep before you drive. When you're tired, stop in a safe place like a rest area or service plaza to take a break. Drive alert for your safety and those around you, especially if you're a commercial driver. Take a break, don't drive drowsy. Brought to you by the Florida Department of Highway Safety and Motor Vehicles.

Derek Perez:

Welcome back. Corporal Shaw, we won't spend a whole lot of time on speeding, because Captain Bergstresser and I already discussed that a couple of episodes ago, but it does fit into this conversation on Choice vs. Consequence. It could be a documentary, "When Fun Turns Fatal." And let's face it, speeding is perceived as fun because your adrenaline starts racing, and as a culture, we celebrate speed as an achievement. But we're talking today about how sort of backwards that logic is, and it's kind of dangerous, right, Corporal Shaw?

Master Corporal Patricia Jefferson-Shaw:

When you deal with speeding, you have to look at the consequences. Speeding fines. Speeding can cause death or serious bodily injury to another, depending on what happens while you're speeding

3PointTurn – Episode 6: Choice vs. Consequence

down the roadway. Everyone doesn't look at it, you could have a blowout. What are you going to do if you're driving 100 miles per hour and you have a blowout? Are you going to know what to do?

Derek Perez:

Well, when you speed, you have a much more increased risk of accident. You increase the likelihood of losing control of your vehicle and the time needed to stop the vehicle. You reduce the effectiveness of safety features, and your own reaction time. And it increases the force of a potential accident, which increases the severity of the crash. Now, it's also important for these new young drivers to think of the bigger picture, can they even afford a speeding ticket? Financial difficulties may help weigh the decision on whether or not to speed. A \$300 fine could very well be your share of this month's rent.

Now, when we talk about choice versus consequence, it's important to realize while speeding, the risk does not equal the reward. Studies show that the human brain does not reach maturity until 25 years old. Now, as you're maturing, you might think that you're at a lower risk, and that means younger drivers tend to speed more often, and biologically they don't care about the risks, but there's really no reward. The more you can imprint that on your brain, the more you'll make a habit of safe driving.

Do the math. If you drove 15 miles on the interstate to your destination, and drove 75 miles per hour versus 70 miles an hour, how much sooner would you arrive? The answer is just one minute, 30 seconds, yet one speed puts you at risk of a speeding ticket and the other doesn't. Is it worth it? The math says "No." Corporal Shaw, can you give us an instance where speeding has been the difference between a serious crash and arriving alive?

Master Corporal Patricia Jefferson-Shaw:

I was a teenager once in my life, and here it is, going to school, my girlfriend and I driving separate vehicles, we both came up here to Tallahassee. She left, I left, I was in no rush, I drove the speed limit. She decided to speed, and I end up beating her to Tallahassee because of the fact, in the process of her driving here, she got stopped twice by the Florida Highway Patrol and cited both times, one triple digits, more than 100 miles per hour, and the other at 90 miles per hour. So speeding didn't save her any time, it just causes you consequences in the end.

Derek Perez:

What a lesson to learn, and what a way to learn it. Well, I said we'd be brief on that topic, but if you'd like to hear a little more insight into speeding, please check out the third episode of the 3PointTurn series. Corporal Shaw and I will be right back to finish out this episode in a few moments.

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Tires are your vehicle's first line of defense on the road. Whether driving across town or across Florida, make sure your tires are properly inflated, damage-free, and have adequate tread depth. No matter how well tires are maintained or how little they're driven, never drive on tires more than six years old. Don't forget the spare. Even tires that aren't driven often can lose air pressure. The Florida Highway Patrol reminds you to stay cool and drive safely this summer. Brought to you by the Florida Department of Highway Safety and Motor Vehicles.

3PointTurn – Episode 6: Choice vs. Consequence

Derek Perez:

Welcome back. Corporal Shaw, this episode is like a sandwich where the bread is cut thick. We start heavy with DUIs, get through the middle pretty easy, and now it's time to wrap up this Choice vs. Consequences episode with an important look at distracted driving.

Master Corporal Patricia Jefferson-Shaw:

For our teenagers, distracted driving is a very important topic, so I look forward to it.

Derek Perez:

Certain aspects of distracted driving are illegal, such as aspects of using a phone. What kind of behaviors are considered distracted driving?

Master Corporal Patricia Jefferson-Shaw:

When the teenagers or anyone uses their cell phone, if you're driving, it's considered distracted driving if you have to make more than three maneuvers on that cell phone. But our teens, they get so focused into that text, and when they look at that text, they're taking their eyes off the road. Now, that's a major distraction.

Derek Perez:

Florida has two statutes allowing law enforcement to stop motor vehicles and issue citations to motorists who are either texting and driving, or who use wireless communication devices in a handheld manner while in school or work zones. Now, a person may not operate a motor vehicle while manually typing or entering multiple letters, numbers, or symbols into a wireless communications device to text, email, or instant message. An active work zone means that construction personnel are present or operating equipment on the road, or immediately adjacent to the work zone area.

Distracted driving can include visual distraction, anything that makes you take your eyes off the road, manual distraction, taking your hands off the wheel, and cognitive distraction, thinking about anything else other than driving. Corporal, you mentioned texting, and that involves all three types of distraction, making it one of the most dangerous of distracted driving behaviors. However, this is not the only cause of distracted driving. Would you care to mention any of the other distractions that might be considered?

Master Corporal Patricia Jefferson-Shaw:

Well, you have a lot that you have to deal with. You have the people that are in the car with you, could be a major distraction. You could be watching other things other than what's in front of you, could be a major distraction also, but just not focus on what's out there and looking at everything else, that's one of the major distractions, but our major thing with our teens has been texting and driving, so if we can get the teens to just put it down and focus on what they're doing, everybody will arrive alive.

Derek Perez:

Great advice as always, Corporal. Some other common distractions include tending to kids or passengers in the back seat, eating while driving, watching an event outside the vehicle, it's important to keep your eyes on the road. Interacting with your passengers, as our corporal mentioned. Unsecured pets can pose a major danger while driving. Putting on makeup or grooming, checking your GPS app or system, and of course, just letting your mind wander and daydreaming. It's important to focus, remain aware, so that

3PointTurn – Episode 6: Choice vs. Consequence

you can arrive alive. Well, Corporal Shaw, that's the what, let's look at the why. This sounds like a simple question, but why should you keep your focus on driving?

Master Corporal Patricia Jefferson-Shaw:

Well Derek, you want to keep your focus on driving because you have to look and see what's in front of you. If a car stops in front of you, what are you going to do if you're looking elsewhere? You're not going to be able to avoid that vehicle, that turns in from it being distracted to something possibly deadly, because if you turn back around, you're now having to swerve. Are you going to cause another vehicle to get in a crash, are you going to cause yourself to crash, or are you going to cause serious bodily injury or death to yourself or someone else?

Derek Perez:

To successfully avoid a crash, a driver has to be able to perceive a hazard so that they can react and give their vehicle time to stop. Perceiving a threat is seeing it and the brain recognizing, and your body reacting. The reaction distance is the distance a vehicle travels from seeing a hazard until it physically stops after you hit the brakes. We've mentioned it a few times today, but even a focused driver going about 50 miles per hour would travel nearly the length of a football field before coming to a complete stop.

Florida is a primary distracted driving offender. In 2018, Florida accounted for 50,000 of the US's 400,000 distracted driving crashes, and as you mentioned, Corporal Shaw, the consequences for distracted driving can be serious. Death, serious bodily injury, vehicle and property damage are the primary concerns, followed of course by the punitive consequences you might face. First offense, non-moving traffic violation with a \$30 fine, not including additional court costs or other fees, no points assessed against the driver this time.

Your second offense within five years of the first offense is a moving traffic violation with a \$60 fine, not including court costs and other fees. You get three points assessed against your driver's license, and as we mentioned, that's 25 percent of the points you're allowed to accrue in a year. Any offense for using a device in a school zone or work zone is considered a moving traffic violation, \$60 fine not including court costs and other fees, and again, three points assessed against the driver's license.

All right, that does it, Corporal Shaw. Thank you for your knowledge and perspective as we discussed Choice vs. Consequence. To our listeners, I know that's a lot to digest, so please use the resources FLHSMV has available on our website to better educate yourself on safe driving behaviors. Until next time, drive safe, Florida.

FLHSMV:

On the next episode of 3PointTurn, the FLHSMV team talks about some strange driving scenarios, including navigating roads at night, facing inclement weather, and encountering animals.

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