

DRIVING בהלכה

Learn what it means to drive
according to the תורה

בהסכמת
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The purpose of this קונטרס is to make people aware that while driving it is possible to be עובר on many איסורים if not done properly. Therefore "Driving" should be put alongside כשרות and שמירת שבת. The same way every ירא שמים and מדקדק בהלכה is very careful regarding all areas of ההלכה, his זהירות in driving should be no less.

There are two אזהרות for every person to guard their נפש - נפשך and נפשם. Anyone who puts himself in danger is עובר on these two אזהרות. Therefore, one who drives is מחויב to drive with זהירות and follow safety rules, and one who does not do so is עובר on these לאוין.

There is a מצות עשה to remove a dangerous situation from others - (רמב"ם- "אחד הגג ואחד כל דבר שיש בו סכנה וראוי שיכשל בו האדם וימות") -ועשית מעקה לגג and one who creates a dangerous situation is עובר on the מצוה of לא תשים of לא תשים. (Although the פסוק says "בביתך" many מפרשים say that this is not limited to one's house). One who drives in a way that could be dangerous to others is accountable for this עשה and מצוה. So too, one who parks his car in a place that can cause סכנה is accountable.¹

One who does not drive carefully is not concerned about the wellbeing of his fellow or his money and is therefore עובר on the מצוה עשה of ואהבת לרעך and ואהבת לרעך. This applies as well to one who parks his car in a way that could endanger others or cause damage.

One who is seen driving in a way that is dangerous or breaking a traffic law is מחלל שם שמים, and is therefore עובר on the לאו of לא תחללו שם קדשי. This is especially true regarding בני תורה since if they don't drive properly it will cause others to look down at the תורה chas v'shalom.²

One who drives in a dangerous way is עובר on the מצוה עשה of והלכת בדרכיו which is a חיוב to go in the הנהגה's ways of being a רחום וחנון, and one who endangers others is certainly not going in these ways.

When a driver is waiting by a stop sign³ because they do not yet feel safe and confident enough to go, and the person behind them starts honking and pressuring them to go before they are ready, the one honking can be עובר on several עבירות. This is obviously a violation of כמון and is ואהבת לרעך כמון.

1. Many people don't think much of illegal parking because they think nothing really ever happens; this is a mistake, many accidents have occurred as a result of illegally parked cars. 2. The Mashgiach Harav Matisyahu Salomon Zatzal would give this example in his וידים when he spoke on the topic of חשם. 3. A stop sign was chosen as an example; this scene can play itself out in other places as well.

certainly not going in the ways of הקב"ה of being a רחום וחנון. This can also cause a חילול השם, and is potentially dangerous because the driver in front may be pressured to go before the conditions of the road are safe.⁴ It goes without saying that such a הנהגה is lowly and not befitting of a בן תורה.⁵

One who is not careful when driving and causes היזק or parks his car in a way that causes היזק is עובר on איסור of being חבירו של חבירו which is included in the לא תגזול of לאו.

One who parks their car in an illegal spot is גזל הרבים on עובר. The reason is because that area belongs to the רבים and it is מדינא דמלכותא for that area to remain vacant לטובת הרבים (for either safety or convenience), therefore one who parks there is stealing that area from the רבים. This is similar to the concept brought down by the גמרא and the רמ"א that it is גזל הרבים for one to build their סוכה in רשות הרבים, and although there are מקילים regarding a סוכה, that is only when the מלכות and the רבים are not מקפיד, which is certainly not the case regarding illegal parking.

According to הגרי"ש אלישיב זצ"ל, one who violates any traffic law is עובר on הרבים. His reasoning is that the street is considered the possession of the רבים who rely on the traffic laws and do not allow anyone to drive on the streets unless they keep to the rules.⁶

The היתר to run on ערב שבת to prepare for שבת although it is possible that one will be מזיק does NOT apply to driving fast.

It is דבר מצוה to drive in a dangerous way or break the law even for a מצוה. Therefore one may not speed to make it in time for תפילה, זמן, מנין, or סדר. Also one may not park illegally even if they will miss out on these things.

In general, if you want to drive in accordance with the תורה:

- Drive calmly and relaxed and never in a rush.
- Be patient with others.
- Only make your turns when conditions are obviously safe.
- Follow all traffic laws.

4. I heard from someone that her son was at a stop sign waiting for the road to clear before making his turn, and the car behind him started honking aggressively, pressuring him to go. Eventually he succumbed to the pressure and made his turn before it was safe, resulting in a terrible accident 5. I know someone who dreads driving because of the uncomfortable feelings they go through when they are honked at and pressured from behind. 6. I listed just a few מצות related to driving; a more extensive list can be found in the sefer הלכות שמירת הנפש בדרכים.

- When approaching a stop sign, come to a full stop before the stop line. If there are no pedestrians inside or entering the crosswalk, inch up slowly to get a good view of oncoming traffic, and proceed only when conditions are safe.⁷
- Look out carefully for pedestrians when turning into crosswalks.
- Look out for cars and people before and while backing up, and back up very slowly. (Note: A person that's about to walk behind your car but is not yet directly behind can not be seen by your back up camera so always make sure to turn your head and look and don't rely on the camera alone.)⁸
- Never hold a cell phone while driving. (Note: Setting up bluetooth for the car is very easy and only takes a minute or two.)

Make sure your car is prepared properly for driving conditions:

- Lights must be on and working when driving at night.
 - Front and back windshield should be clear of fog. (Note: It may take some time for it to defog so start the defogging process some time before you need to start driving.)
 - Your car should be cleaned well from snow.
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- Always leave early giving extra time in order not to have the נסיון of driving fast and carelessly.
 - Remember that if for whatever reason you are running late there is no היתר to drive in a way that is dangerous.

ישמע חכם ויוסף לקח

One should keep in mind that with every act of זהירות he does while driving he is מקיים several מצוות.

7. Harav Forcheimer Shlita told me that from his experience he sees cars not stopping properly by stop signs as the biggest cause of accidents. 8. I personally witnessed three separate instances in which a person who was walking behind a car was bumped by the car while it was backing up.

ושמור צאתנו ובואינו
לחיים ולשלום מעתה ועד עולם