

Concurring Opinion for the Two Teshuvot on Driving Electric Cars on Shabbat

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This paper was submitted, in June 2023, as a concurrence and a dissent to "[A New Responsum on the Sabbath](#)," by Rabbis Marcus Mordecai Schwartz and Chaim Weiner, and "[A Renewed Responsum on the Sabbath](#)," by Rabbis David J. Fine and Barry J. Leff. Dissenting and concurring papers are not official positions of the CJLS.

I voted for both of these responsa, as different as they are, because I think that they address different circumstances and audiences. On one hand, ever since Camp Ramah made me a serious Jew in my teens, I personally have avoided driving on Shabbat, even to my synagogue, and when my wife and I moved to Los Angeles in 1971, we deliberately chose a home within walking distance of our synagogue. Avoiding driving on Shabbat is a graphic way of distinguishing *kodesh* from *hol*, especially in a city like Los Angeles, where the city is spread out across 469 square miles, not including Beverly Hills, Culver City, Burbank, Thousand Oaks, and Pasadena, which are other cities in Los Angeles County where significant populations of Jews live. Moreover, public transportation here is limited, and so driving is a daily part of most people's lives. I therefore very much want to encourage those who can walk to the synagogue on Shabbat for services to do so. Toward that end, I voted for the Schwartz/Weiner responsum to reinforce the preferability for both halakhic, spiritual, and social reasons to avoid driving altogether on Shabbat.

Housing in Los Angeles today, however, costs much more than most individuals and families can afford, especially in neighborhoods within walking distance of many Conservative synagogues here. For that large group of people both in Los Angeles and in other places where housing costs make living within walking distance of a Conservative synagogue prohibitive, I voted for the Fine/Leff responsum, which explains in considerable detail why driving an electric car is preferable to driving a car with a combustion engine, along with the halakhic strictures on driving even an electric car on Shabbat. They also address the preferability of driving a hybrid car in contrast to a car powered by gasoline alone.

Both of these responsa articulate the preference for walking to and from the synagogue on Shabbat, and the more of us Jews who can do that, the better, not only for halakhic reasons, but also for creating a close-knit community on Shabbat. That said, Jewish law must be applied to the realities that Jews face, including economic ones, and so the Fine/Leff responsum does us all a service in addressing Jews who cannot afford to live within walking distance of their synagogue or who cannot do so for medical or weather-related factors. (I grew up in Milwaukee, where there was often two or three feet of snow on the ground during the winter with temperatures below zero Fahrenheit, and where, during the summer, the temperatures were often in the 90's with 90% humidity.)

Let us rabbis continue to educate Jews to the many meanings and the deep significance of observing Shabbat in a traditional way, including the important role of attending Shabbat services in one's synagogue. As we rabbis well know, walking to the synagogue on Shabbat

helps immensely to mark the day as special – indeed, holy, *kadosh* – and all Jews who can do so, should. But those Jews who cannot do for financial, weather, medical, or other reasons are advised that they use, in diminishing order, (1) public transportation paid for before Shabbat through a pass or the like, (2) an electric car, or (3) a hybrid car rather than (4) one powered exclusively by gasoline.