

ליקוטי ופסקי הלכות "חוקי חיים"

ותלמוד
"תקופת התנאים"
לעשות רצונך
בלבב שלם



שע"י "חדר הוראה" שכונת מנחת יצחק פעיה"ק ירושלם תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

Halachos compiled by HaRav Chaim Bleier – Translated from the Hebrew edition by R' Zerachya Shicker

Please do not
read during
davening or
Krias HaTorah

Halachos Pertaining to Travel

Lech Lecha 5783

277

Tefilas Haderech

Source

- Torah.** We find that Yaakov Avinu said Tefilas Haderech. The posuk (בראשית כ"ח, כ') says, "Yaakov took a neder saying, 'If Hashem will be with me and guard me on this path I am going on ...'". We also find that when Klal Yisroel traveled in the Midbar, they said the posuk ויהי בנסוע הארון ויאמר משה קומה ה' ויפצו איביך וינסו" (במדבר י', ל"ה) "משנאיך מפניך." The meforshim explain that this was their Tefilas Haderech (דעת זקנים מבעלי תוס', חוקוני).
- Gemara.** The Gemara says (ברכות דף כ"ט ע"ב), "When you set out to travel, take leave from your Creator and [then] depart ... This is Tefilas Haderech." Chazal also say (שם), "Anyone who sets out to travel must daven Tefilas Haderech. What is Tefilas Haderech? יהי רצון מלפניך וכו' שתולכנו לשלום ותציעינו לשלום וכו' (ס' ארץ חמדה).

Reasons for Tefilas Haderech

- Protection.** One of the reasons Chazal instituted Tefilas Haderech is because travel involves danger, and the Satan accuses in dangerous situations. Thus, one should ask Hashem to protect him from danger.
- Travel diminishes.** Additionally, travel diminishes a person's money and his name (ירושלמי ברכות פ"ד ה"ד, רש"י תחילת פ' לך לך); Chazal therefore instituted a brachah to prevent these things from becoming diminished (בראשית רבה לך לך פרשה ל"ט).

Only When Traveling in a Dangerous Place?

- Dangerous place.** The Gemara says (שם) that when a person goes to a truly dangerous place, i.e., one with a known danger of wild animals, bandits, or the like, he is agitated and does not have the composure to daven properly. Therefore, he cannot say Shemoneh Esrei or even the abridged tefilah of Havineinu. Instead, he should say the following short tefilah: "צרכי עמך מרובין ודעתם: קצרה, יהי רצון מלפניך ה' אלקינו שתתן לכל אחד ואחד כדי פרנסתו ולכל גויה (וגויה די מחסורה, ברוך אתה ה' שומע תפילה and calms down, he must say Shemoneh Esrei (ש"ע אר"ח סי' ק"י סיג) if it is still within the zman (מ"ב סק"ד))."
- Place without danger.** Although this short tefilah was instituted for dangerous places, Tefilas Haderech was instituted even when traveling to a place without any serious danger (כל בו סי' פ"ז). While all travel involves danger (ירושלמי ברכות פ"ד ה"ד), it is just a small aspect of danger and not a specific, known danger. It is for this that Tefilas Haderech was instituted (אור רו"ע ח"א הל' קריא"ש סי' מ"ח).

Types of Danger

- Bandits, wild animals.** According to the Gemara and the nusach of the tefilah, Tefilas Haderech was instituted for dangers that can occur during travel, e.g., bandits, wild animals, enemies, ambushes, etc. Some wonder whether one can say this tefilah with Hashem's Name today, when most intercity roads are well-paved, have virtually no wild animals or bandits, and are generally protected and safe (קצוה"ש סי' ס"ז סק"ג). [See Issue 102, par. 54, where we pointed out that unfortunately, even today, we require protection from some people who drive like wild animals (כ"ק מרן) (גאב"ד ירושלים). We also told the story about a person who asked Rav Matisyahu Salomon שליט"א why we mention wild animals in Tefilas

Haderech nowadays, whereupon a bee entered the car and pestered the driver to the point of a near disaster.]

- Traffic accidents.** Still, most poskim hold that even today one can and should say the tefilah and brachah. The tefilah mentions "לסטים וחיות רעות" because those were common in those days, but we also daven that Hashem "lead us in peace ..." and save us "from all types of misfortunes that break forth and come to the world." This includes all types of dangers, e.g., traffic accidents, which are common today ל"ע. Thus, we do not deviate from the text of the tefilah established by Chazal; we say the tefilah the way it was always said (ארחות רבינו ח"א עמ' ס"ב).
- Train, plane.** For this reason, the minhag is to also say Tefilas Haderech when traveling between cities by train or plane. Even though there are no wild animals or bandits, sometimes there are accidents, שו"ת שואל ומשיב קמא ח"ג סי' ק"ג, תהלה לדוד השמטות (ה' ירחם, סי' ק"י, נימוקי אר"ח, תשובות והנהגות ח"א סי' קצ"ט בשם החזו"א).

Travel Distance that Requires Tefilas Haderech

- Parsah.** The brachah is only said when traveling a parsah (ש"ע שם) – 3.84 km [הגר"ח נאה] or 4.6 km [חזו"א] as there is little danger of wild animals and bandits within a parsah of a city (מ"ב סק"ל).
- Shiur of distance.** The brachah is said whether one travels by foot, car, train, or boat; the shiur is a measure of distance, not of the time it takes to travel a parsah (מ"ב סק"ל). The shiur only starts after leaving the city of departure's "ibur," i.e., just over 70 amos outside the city (קצות השלחן סי' ס"ז בדה"ש סק"ד). [Some Sephardim do not make the brachah on a trip that will take less than the amount of time it takes to walk a parsah – 72 minutes (שו"ת זכרון יהודה סי' מ'), (שו"ת רב פעלים ח"ב י"ד סי' מ' at the location and the return time are included in the 72 minutes. But Ashkenazim only measure the shiur by distance.)]
- In any case, if one knows he is in a dangerous area, he can say the brachah even when traveling within a parsah (מ"ב סק"ל). Thus, if one is passing through a dangerous area, e.g., a neighborhood of rock-throwing Arabs or other dangerous population, he can say the brachah even if the whole trip is within a parsah.

When to Say Tefilas Haderech

- Lechatchilah, Tefilas Haderech is only said after one is on the road (ש"ע שם) and has left the city's ibur, i.e., after passing all the city's houses and then an additional 70 amos plus a bit, but within the first parsah of travel (רמ"א שם).
- Today.** Nowadays that the primary danger of travel is traffic accidents ל"ע (above, 8), not really bandits or wild animals, one can say Tefilas Haderech as soon as he leaves the city on the highway since accidents also happen within a parsah. One does not need to be worried and make sure there are no longer houses around since the tefilah was primarily instituted for intercity travel involving danger. Thus, even if there are some houses or small villages at the sides of the road, one can and should say Tefilas Haderech if he has left the city and the general speed of travel is higher, as the risks are greater (הגאון מטשעביץ, שו"ת שבט הלוי ח"י סי' כ"א, חוט שני ריבית קובץ) (ענינים עמ' קמ"ז, תשובות והנהגות שם).
- Forgot to say.** If one forgot Tefilas Haderech at the beginning of the trip, he can say it at any point until he gets within a parsah of his destination city. Once he is within a parsah, he can say the tefilah without the ending ["ברוך אתה ה' שומע תפילה"] (שו"ע שם).

Common Trips

- 16. **From Yerushalayim.** When leaving Yerushalayim [on Highway 1], e.g., to **Bnei Brak** and beyond, **Beit Shemesh, Ben Gurion Airport, Modiin Illit, etc.**, one should say Tefilas Haderech, as these places are more than a parsah away. It can be said when one is on the highway past Har Hamenuchos, which is within a parsah. It does not matter if there are still some houses at the side of the road since practically speaking, this is out of the city and we need Hashem to protect us from the risk of accident (above, 14).
- 17. One should certainly say Tefilas Haderech immediately upon leaving the city when using roads closer to Arab neighborhoods [e.g., the 443 or the highway to Yam Hamelach].
- 18. **Cities near Yerushalayim.** Even when traveling to cities near Yerushalayim, Tefilas Haderech is said if the trip is at least a parsah according to all poskim [4.6 km], e.g., to **Telz-Stone**, and certainly to **Maaleh Adumim, or Beitar Illit** as the road passes Arab neighborhoods.
- 19. **From Bnei Brak.** When leaving Bnei Brak, one should say Tefilas Haderech as soon as he is on the highway [the 4]. Even though there are houses around, this is already outside the city and a place of potential risk (כך נהגו החזו"א ובעל אבי עזרי ועוד, קובץ מבקשי תורה חשון תשס"ג).
- 20. **Highway within city.** When driving on a highway within a city [e.g. the Begin, which crosses through Jerusalem, or in a city like New York], even though there is a risk of accident, since it is in the city, we do not innovate or add onto what Chazal instituted. Thus, Tefilas Haderech is only said when traveling outside a city.
- 21. **The West Bank.** When traveling in the West Bank, an area that is assumed to be dangerous ל"ע, e.g., to Chevron, one should say Tefilas Haderech even when traveling less than a parsah (see above, 12). There are dangerous places where it is assur to travel at all, e.g., places under Palestinian control, like Kever Yosef Hatzadik in Shechem or the like.

Common Risks of Travel, Chiyuv to Be Careful

Following Traffic Laws

- 22. Sadly, there have been many traffic accidents lately all over. It is our obligation to reinforce matters that need improvement and urge the tzibbur about exercising caution on the road so that we can say "Our hands did not spill this blood."
- 23. There are traffic laws meant for the safety of the travelers. It goes without saying that the Torah also obligates us to follow them: this is part of bein adam l'chaveiro; so that we do not cause damage or danger to ourselves because of "ונשמרתם מאד לנפשותיכם" (דברים ד, ט"ו); so that we do not damage others as an אדם המזיק (ט"ו); and part of the chiyuv to be guard the issur of murder, as the posuk says, "השמור לך ושמור נפשך מאד" (שם ט).
- 24. Without getting into the halachic question of what falls under "דינא דמלכותא דינא" and whether that applies in Eretz Yisroel, common sense obligates a certain level of caution and to have accepted rules. The Torah obligates every person to strengthen himself to act with good, proper middos in bein adam l'chaveiro; to exercise caution with other people's lives and money; and to think about others.

Pedestrians

- 25. **Walking on the street.** For the sake of order and safety, the sidewalk is designated for pedestrians and the street is designated for cars. However, many people choose to walk specifically on the street, where cars go by, even when there is no reason not to walk on the sidewalk [perhaps they live with Shabbos all week ...] and the sidewalk is empty. In doing so, they endanger themselves and harm drivers – as they cause cars to slow down even though no pedestrians should be in the street – and they transgress the posuk "לפני עוור לא תתן מכשול".
- 26. People sometimes push a stroller with a baby on the street, claiming that it is easier than pushing it on the sidewalk. This is also dangerous and irresponsible. [The fact that the stroller has four wheels and a human engine with one horsepower does not make it into a vehicle...]

- 27. **No sidewalk.** Some areas have no sidewalk, forcing people to walk on the street. One must be extra careful not to go near the area where cars drive, especially when there is a bend in the road and cars drift to the edges of the road.
- 28. **Dark.** An additional danger exists at night in areas that are not well-illuminated. If there is no sidewalk and pedestrians must walk on the street, it is a real and present danger, as drivers cannot see the pedestrians. Chareidim especially, who wear dark clothes, cannot be seen at night. In such a case, one has a halachic obligation to protect himself by wearing a reflective belt, as local rabbanim in Lakewood, Monsey, and other places have ruled. One may not ח"ו claim that it is not befitting for a chareidi to wear such things. It is a mitzvah belt – one that is more vital than a gartel for davening ...
- 29. **Parking on the sidewalk.** There is a shameful phenomenon in which a driver who cannot find parking parks his car or truck on the sidewalk, completely blocking passage for pedestrians. This driver values himself and his car more than the lives of others, as he forces pedestrians to pass on the street. On many occasions, we have seen mothers with strollers forced to walk on the street because of a car blocking the sidewalk. The driver has a serious aveirah, as he endangers others. Since a vehicle has the status of a bor b'reshus harabim, one may call the authorities to identify the owner based on the vehicle's license plate and instruct him to move immediately to remove the dangerous obstacle.
- 30. **Crossing at a red light.** It is illegal for a pedestrian to cross the street at a red light. Some people scoff at this and cross at a red out of impatience, claiming they can see that no cars are coming, as if there is no danger.
- 31. In reality, this is how accidents happen ל"ע. People do not always see everything. A car that one did not notice can suddenly appear around a corner. Additionally, this causes a pitfall for others, especially children. To be specific, we have seen many times children waiting at an intersection for a green light before crossing when suddenly they see an adult crossing the street. Without checking if the light turned green, they also cross without looking at the street to watch out for oncoming cars, relying on the adult who is crossing. This can lead to a serious risk, ח"ו. It is irresponsible toward others; it is forbidden to cross at a red in all circumstances.
- 32. Regarding this one can say, "It is better for one to lose a minute in his life, than to lose his life in a minute!"

Cyclists

- 33. **Bike lights.** Some people ride bikes on the street at night without lit bike lights. This is a real danger. Whether they are biking in the same direction as the cars or in the opposite direction, drivers just do not see them on the street even if the street is lit. It is dangerous and reckless to bike without lights. Parents must be very careful not to let their children and bochurim ride bikes without lights. A woman must also stop her husband from riding a bike without lights – she has the right not to become a widow ח"ו.

Electric Bikes, Scooters

- 34. It has become increasingly common as of late to ride electric bikes and scooters on the streets. Sadly, this has also become a great danger. These riders are usually young and do not have driver's licenses; hence, they have no knowledge of traffic laws. They endanger themselves and others. This has already caused multiple deaths and injuries.
- 35. **Knowing and following traffic laws.** Riders must know that they have a Torah obligation to follow all traffic laws, e.g., stopping at a red light. They cannot suddenly become pedestrians and ride on the sidewalk to circumvent a stoplight.
- 36. Also, they may not pass vehicles in an illegal and unsafe manner or cut between cars. This has caused many accidents, as drivers simply do not see them.
- 37. **Riding on the sidewalk.** It is also forbidden to ride an electric device on the sidewalk. This endangers pedestrians' lives, especially when there are women, children, or elderly people around who have more difficulty keeping themselves safe.

Talking to Others about These Vital Matters

- 38. No matter how much we write about this topic, it is not enough, as people completely disregard it. Every parent and mechanech must discuss these matters with their families, talmidim, children, and spouses. Improving in these areas fulfills the mitzvos of "ההלכת בדרכיו" and "ואהבת לרעך כמוך", "ונשמרתם מאד לנפשותיכם"

In the zechus of this improvement, may we be zocheh to protection from Hashem, in fulfillment of the words of Tefilas Haderech: " ותשלה ברכה בכל מעשה ידינו, ותתנו לנו ולחסד ולרחמים בעיניך ובעיני כל רואינו, ותגמלנו חסדים טובים ותשמע קול תחנונינו, כי קל שומע תפלה."

ותשלה ברכה בכל מעשה ידינו, ותתנו לנו ולחסד ולרחמים בעיניך ובעיני כל רואינו, ותגמלנו חסדים טובים ותשמע קול תחנונינו, כי קל שומע תפלה."

נתרם לרפואת האשה החשובה מרת אסתר זיסא בת גולדה בריינדל

לז"נ האי גברא יקרא הר"ח ר' אברהם זאב ז"ל ב"ר שאול שמאהל ז"ל נפטר ה' מרחשון תשל"ב והעלמה לאה שפיגלמאן ב"ר שמעון ע"ה – נפטרה י' מרחשון תשע"ב ולז"נ האשה החשובה דבורה בת הצדיק הר"ר חיים אהרן ראזענבערג נפ' ה' מרחשון תשי"א מנ"ח ווייטצען הונצת ע"י הר"ח ר' יהושע שמואל בלייער

הגליון נתרם ע"י הר"ר יעקב גולדברג ר' שמעון יהודה ב"ר חיים ישעיה שלמה ז"ל במלאות השלשים

לז"נ מרן ראש ישיבת מיר רבי נתן צבי זצוק"ל ב"ר אליהו מאיר פינקל י"א מרחשון תשע"ב נתרם ע"י ידידנו משולם פנתם [שולן] פארהאנד הי"ו אב"י מונפריאל

נתרם ע"י הרוצה בעילום שמו לכבוד ולאות הכרת הטוב למורינו הר"ג רבי חיים בלייער שליט"א וגם להוקרה להמתנתם הנפלא הרב זרחה שיקער שליט"א