



Jim Hughes

State Representative, 24th House District

Sponsor Testimony
House Bill 95
House Transportation Committee
March 15, 2017

Chairman Green, Vice Chair Greenspan, Ranking Member Sheehy, and members of the House Transportation Committee. Thank you for giving Representative Seitz and myself the opportunity to present to you House Bill 95.

During the 130th Ohio General Assembly, I sponsored legislation to establish September as "Safe Driving Awareness" month. Now, I, along with my colleague Bill Seitz, are continuing our efforts to push to promote safe driving by introducing House Bill 95, which is aimed at targeting distracted driving. This bill is a reintroduction of Senate Bill 146 from the 131st General Assembly.

In today's world, current technology has aided in the creation of a society that is constantly communicating, whether it be texting, emailing, searching directions, surfing the web or listening to music. The dangers of taking part in these activities while behind the wheel are a harsh reality on our roads. With all of these high tech devices and society wanting to be connected at all times, it's so easy to get distracted when behind the wheel.

The Ohio State Highway Patrol reports that there were 13,980 crashes in 2016 that involved distracted driving, resulting in 26 deaths and 4,960 injuries.

House Bill 95 would create an enhanced penalty for "distracted driving" that can only come into play when a driver is pulled over for another moving violation, which is currently a minor misdemeanor offense under Ohio law. Additionally, a law enforcement officer would only be able to issue a citation for "distracted driving" if they witness the offense at the same time as another moving violation, such as running a stop sign or red light. The legislation requires that the person cited for distracted driving pay a fine of one hundred dollars for each offense.

After discussion with interested parties last year, Senate Bill 146 was amended in the Senate Criminal Justice committee, without objection, to incorporate the following changes:

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www.ohiohouse.gov
77 S. High Street, Columbus, Ohio 43215-6111

Contact Information:

Office: 614-466-8012
FAX: 614-719-0007
Email: Rep24@ohiohouse.gov

1. To provide an alternative to allow offenders to complete a distracted driving safety course in lieu of paying the fine (the language specifies that the course content and duration shall be established by the Director of Public Safety);

2. To add integrated automobile manufactured technology systems to the covered exceptions to the offense of distracted driving (automobile manufacturers are placing integrated systems into their vehicles to try to make it as safe as possible for driver's to use their cell phones while driving by talking into the systems that are built into the automobiles to reduce the need for actually using cell phones and to reduce the distracted driving risk- this language has the support of General Motors, Honda, the Ohio Automobile Dealers Association and the Alliance of Automobile Manufacturers);

3. To add utility service vehicle drivers to the covered exceptions to the offense of distracted driving. This change was necessary to ensure that those who are responding to emergencies, power outages or circumstances that could affect the health or safety of Ohio's citizens can use the communications equipment in their utility service vehicles or a vehicle for or on behalf of a utility to respond to issues where lives and property could be at risk. The trucks used by the utility companies are not all fitted with integrated communications systems and sometimes information is relayed through cell phones or other devices;

4. To clarify that "distracted" doesn't include drivers wearing earphones.

In committee, Substitute Senate Bill 146 received proponent testimony from: The Department of Public Safety; Dom Tiberi, 10TV Sports anchor/Maria Tiberi Foundation; former Ohio State Coach John Cooper; former Ohio State Coach Earle Bruce; Mid-Ohio Regional Planning Commission; Ohio Association for Justice; Ohio Prosecutors Association; Ohio Conference of AAA Clubs; The Alliance of Automobile Manufacturers; and the Ohio Bicycle Federation. No opposition testimony was presented, or submitted, to the committee during the four public hearings that this legislation received.

This legislation received unanimous, bipartisan support in the Ohio Senate as it was reported from the committee 9-0 and by the full chamber 32-0.

Distracted driving is extremely dangerous and unfortunately all too common. It is our hope that this legislation will encourage drivers to remain focused on the road and help save lives. To be clear, our legislative goal is to encourage Ohio drivers to be cautious when driving and to think of their safety before anything else. No text message or phone call is worth losing your life or harming someone else. A bad decision in a split second can impact you or your family for the rest of your life or others. There is no 'reset' button to hit to change the outcome.

Chairman Green and members of the House Transportation committee, thank you for your consideration of House Bill 95. After Representative Seitz has presented his remarks, we would be happy to address any questions that the committee might have.

