



TESTIMONY TO THE HOUSE CIVIL JUSTICE COMMITTEE

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HB 27

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Chair Hambley, Vice Chair Patton, Ranking Member Brown, and members of the House Civil Justice Committee, my name is Ashley Brewster and I am the Director of Communications for the Ohio Municipal League. I want to thank you for the opportunity to testify in opposition to HB 27 on behalf of our 750 member municipalities.

HB 27 intends to virtually eliminate sovereign immunity for emergency responders in the event of an accidental motor vehicle collision involving any emergency vehicle responding to an emergency. This would include police, fire and emergency medical services. The bill as drafted would only grant sovereign immunity in the event of a police chase, where the police officer operating the emergency vehicle collided with a vehicle operated by someone attempting to flee from law enforcement. The virtual elimination of liability defense for municipal first responders would have many unintended consequences that would negatively impact local communities as a whole.

This substantially narrower provision for liability defense would impede the ability of first responders to safely, quickly and efficiently execute their duties. The removal of sovereign immunity would instill first responders with a fear of being sued, causing hesitation when immediate action is needed. Municipal first responders are not arbitrarily granted sovereign immunity. The constant threat of lawsuits for negligence creates barriers preventing immediate action in response to

an emergency situation. Liability defense removes that barrier enough to allow first responders to reach the site of the emergency as soon as possible. We all know that when waiting for the arrival of first responders in the event of a car accident, a fire or a health emergency, minutes or even seconds can make all the difference.

First responders are vigilant to consider speed limits, traffic lights, stop signs and other traffic regulations while responding to an emergency. They are tasked with protecting public safety and do so in part by considering and respecting traffic laws. Opening first responders up to lawsuits for negligence would mean police, fire and emergency medical services will not be able to execute their duties with effectiveness or immediacy. This endangers the health and safety of Ohioans across the state.

Ohio citizens would bear the burden of another unintended consequence of HB 27. Removing liability defense for first responders will substantially increase litigation costs for each city and village. Local taxpayers would be responsible for paying for the cost of litigation, as well as claims paid by the municipality. Furthermore, municipalities would face higher premiums for liability insurance, which would also be paid for by the taxpayer. With many municipalities already struggling to pay for basic services, this increased expense could very well lead to an increased tax burden for many Ohioans.

HB 27 would impede first responders, endanger the health and safety of Ohioans and balance the increased cost on the back of the local taxpayer. We urge that you oppose this legislation.

Thank you for your time. I would be happy to try to answer any questions you may have.