



HB 606 Proponent Testimony

Chairman Hambley, Vice Chair Patton, Ranking Member Brown, and members of the House Civil Justice Committee, my name is Tom Balzer and I am the President and CEO of the Ohio Trucking Association (OTA) and the Ohio Association of Movers (OAM). Collectively, we represent over 1,000 trucking, moving, logistics and warehouse companies and allied vendor members. I would like to thank you for this opportunity to present testimony in support of HB 606, which would protect healthcare workers and businesses from frivolous lawsuits resulting from the COVID-19 pandemic.

The COVID-19 crisis has shown Ohioans first-hand how vital the trucking industry is during an emergency. While sectors of the industry were extremely busy ensuring the need for groceries and basic necessities were met, the vast majority of the industry was not as fortunate, and many in the transportation industry saw a dramatic decrease in freight movement as the supply chain was virtually shut down.

Providing businesses with liability protection is critical, not only to protect those businesses that have remained open during the crisis like my members, but also to those businesses looking to reopen and rebuild after being closed. As more businesses return to work, the supply chain will reopen, which will increase freight movement and help Ohio's economy recover.

HB 606 currently precludes liability protections when a lawsuit alleges reckless, intentional, willful, or wanton conduct. Each of these standards of conduct, with the exception of recklessness, requires a showing that an individual acted with the intent or purpose to cause harm. As further discussions surrounding HB 606 take place, it will be important to ensure that a business, attempting to provide a safe workplace environment, is thoroughly protected should an individual contract COVID-19 while on their premises. By providing legal protections to all businesses, unless they engage in intentional acts, the legislature will recognize the reality that no matter what precautions a business takes, the risk of transmitting COVID-19 remains.

The potential for lawsuits resulting from the COVID-19 pandemic is real. Ohio's lawmakers can help businesses recover from this pandemic by giving them

655 Cooper Rd.
Westerville, OH 43081
614-221-5375
www.ohiotrucking.org

confidence to reopen by lowering the risk of any unwarranted lawsuits. For this reason, we urge your support for the bill.

Sincerely,

A handwritten signature in black ink that reads "Tom B". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Thomas A. Balzer, CAE
President and CEO
Ohio Trucking Association/Ohio Association of Movers