



Testimony to the Senate Local Government, Public Safety and Veterans Affairs
Committee

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Chairman Manning, Vice-Chair Brenner, Ranking-Member Maharath, ladies and gentlemen of the Senate Local Government, Public Safety and Veterans Affairs Committee, thank you for giving me the opportunity to speak on behalf of SB 285. The Ohio Bicycle Federation is grateful to Senators O'Brien and Kunze for sponsoring this important legislation and fully supports the change to prohibit the use of hand-held communication devices in any manner and to make distracted driving a primary offense.

According to the Governors Highway Safety Association, primary enforcement is specified in all 21 states which prohibit hand-held cellphone use and in 45 of 48 states which prohibit texting while driving. The GHSA policy "supports state legislation that would ban hand-held cell phone use and text messaging for all drivers."¹ The city of Seattle, WA has implemented a targeted enforcement program in order to achieve their Vision Zero (zero traffic fatalities) initiative. Because hand-held cellphone use while driving is a primary offense, distracted driving is one of the violations being targeted in locations with high pedestrian use, including school zones. The city of Seattle is seeing fewer second violations at these locations and has continued this enforcement at schools which are providing lunches during the Covid-19 crisis.

Distractions have been tracked in crash reports in Ohio since 2011, but motorists are unlikely to admit that they were distracted. But how many of us have not seen motorists drifting out of their lane, and we see them using a phone or looking down at their lap? Observing this behavior while cycling or walking is especially frightening. In Ohio in 2019 there were 13,526 instances where distracted driving from a source inside the vehicle, such as a phone, was documented as a crash factor. This figure is too high, but we should probably assume that many, many more cases of distracted driving go undocumented. Law enforcement members of the Distracted Driving task force headed by ODOT's highway safety department say that they cannot pull over a suspected distracted driver because they cannot judge whether the driver is under age 18. In Columbus, where texting is a primary offense for all ages, Columbus police officer Keith Conner has written hundreds of citations and thousands of warnings. "The vast majority of the public seems to be driving with their head down," Conner said. If you are reading this testimony online, watch the dashcam video from one of Officer Conner's traffic stops. <https://www.youtube.com/watch?v=ZJ04uxpchRk> Strengthening the

¹ Governors Highway Safety Association Policy on Distracted Driving, www.ghsa.org/about/policies-distracted

consequences for driving while distracted is an important measure that Ohio can take to lower the number of distracted driving incidents and make our roads safer for all users.

SB 285 makes texting a primary offense and goes much further by expanding the definition of wireless communication devices, adding to the behaviors which are prohibited and increasing penalties for injury and death which result from distracted driving. These changes would make all the difference in drivers' perception of the magnitude of this violation, and hopefully change their behavior as well. Do we want to remain one of only 3 states that do not consider texting while driving a primary offense? We should not wait for better reporting of crashes involving driver distractions before taking action to prohibit this unsafe behavior. This will reverse the increasing trend of distracted driving crashes and increase safety for all Ohioans.

