



Ohio Prosecuting Attorneys Association

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Senate Bill 285
Written Proponent Testimony
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Chairman Manning, Vice-Chair Brenner, Ranking Member Maharath and members of the Senate Local Government, Public Safety, and Veterans Affairs Committee, thank you for the opportunity to provide written proponent testimony in support of Senate Bill 285, a bill to address distracted driving.

According to the National Highway Traffic Safety Administration an estimated 400,000 people were injured in crashes involving distracted drivers in 2018 and 2,841 people were killed. This has proved to be a growing problem both nationally and in Ohio. As has been previously noted, the Ohio State Highway Patrol says that traffic fatalities on Ohio roads have increased in each of the past six years with 2019 being the second deadliest year of the past decade. There is little doubt that these statistics are attributable to cell phone use and other distractions.

The bill addresses the growing problem of distracted driving in four critical ways. First, it makes distracted driving a primary offense in Ohio. Currently, using a cell phone while driving is a secondary offense. Meaning that law enforcement cannot stop a distracted driver unless the person also commits a primary offense like speeding or running a stop light. This means that distracted drivers cannot be stopped until they are doing two potentially dangerous things at the same time. Law enforcement needs the ability to stop distracted drivers for distracted driving. A person cannot drive safely unless the task has their full attention and law enforcement should not need to wait until a person is doing two unsafe acts. Second, the bill increases fines for drivers who repeatedly violate the distracted driving law. This should help deter habitual offenders. Third, the bill modifies aggravated vehicular homicide and vehicular assault to include distracted driving, and creates the offense of vehicular harm, applying the penalties for OVI offenses, the offense most analogous to distracted driving, to distracted driving offenses that result in the death of or injury to another. Finally, the bill contains an education component.

Thank you, again, for the opportunity to offer written proponent testimony on this important piece of legislation. This bill will help curtail an activity that puts all of us at risk every time we get behind the wheel, get on a bicycle, or even go for a walk. We encourage your favorable review and report of the bill.