



Senator Theresa Gavarone

2nd Ohio Senate District

Sponsor Testimony for Senate Bill 134

Senate Transportation, Commerce, and Workforce Committee

September 17, 2019

Chairman McColley, Ranking Member Antonio, and members of the Senate Transportation, Commerce, and Workforce Committee I am happy to be before you today to speak about Senate Bill 134. This much-needed piece of legislation will improve school bus safety by increasing penalties, raising awareness, and encouraging the use of school bus cameras.

First, let me state that this is a comprehensive piece of legislation in response to a growing problem across our state—failure to stop for a school bus. From 2015-2017 nearly 4,200 drivers in Ohio were *ticketed* for illegally passing a bus. I emphasize the word ticketed because it is sometimes difficult for a school bus driver to catch a license plate number or identify a driver, so the actual number of violations is much greater. In that same period, there were over 4,000 school bus crashes.¹

This issue really came to the forefront for me after learning about two incidents involving students from schools in my district. The first was a car that crashed into an Eastwood school bus as the result of not stopping² and the second involved a bus from Archbold schools that was hit by a speeding semi-truck. The latter was recorded and featured in the national news because two children narrowly escaped the accident.³

Fortunately, no students were hurt in those accidents, but nearly a decade ago in my district 15-year-old Morgan Duris was hit and killed after a driver going 15 miles over the speed limit failed to stop for her bus.⁴ Believe it or not, that driver was never sentenced to a DAY in prison. These incidents are all too common, and I believe the bill before you today will lessen them and keep our children safer as they go to and from school.

¹ Franklin County Had 691 School Bus Crashes in 2015-2017, Leading the State (<https://www.dispatch.com/news/20180804/franklin-county-had-691-school-bus-crashes-in-2015-17-leading-state>)

² Eastwood Leaders Have a Plea for Drivers After Bus Accident (<https://www.wtol.com/article/text/news/eastwood-leaders-have-a-plea-for-drivers-after-bus-accident/512-1b166c65-f6cd-4994-b7e8-bd7b44292b68>)

³ Speeding Semi-Truck Crashes Into Schools Bus (<https://abcnews.go.com/GMA/News/video/speeding-semi-truck-slams-school-bus-62002592>)

⁴ Northview Freshman, 15, Hit, Killed on Way to Bus in Sylvania (<https://www.toledoblade.com/local/2010/01/22/Northview-freshman-15-hit-killed-on-way-to-bus-in-Sylvania/stories/201001220031>)

The bill has several main parts that include:

- 1) Doubling the fine for illegally passing a stopped school bus. For subsequent offenses, the driver will face an increased license suspension, and the fine will increase by \$250 for each violation over the span of 10 years.
- 2) Contains provisions that will enhance penalties for drivers who, as the result of failing to stop for a school bus, hits or kills a student. Currently, if you hit a student after failing to stop for a bus you would be subject to a fourth-degree felony. This bill changes that to a third-degree felony. If the student is killed, that increases the third-degree felony to a second-degree felony. If a person is prepared to pass a school bus filled with children, they should be even more prepared to suffer a bigger penalty.
- 3) A few months ago in the Cleveland-area, two children were struck by a driver who failed to stop for a school bus.⁵ After speaking with the mother of one of the students, I was thrilled to learn that they were not severely hurt, but disappointed to find out that she was informed the injuries suffered were not severe enough to result in the driver being charged with vehicular assault. As a result, I have created the felony offense of ‘vehicular harm’. That offense will ensure that anyone who illegally passes a school bus and hits a child, regardless of injury severity, will face a felony.
- 4) Current law is ambiguous about the use of cameras on school buses. It has been proven that cameras are better at catching identifying information like a license plate number and the driver. This legislation clearly states that school bus cameras are permitted to be used as evidence and creates an appropriation of \$500,000 over the biennium to be distributed to school districts for the purpose of installing cameras.
- 5) Designates the month of August as “School Bus Safety Awareness” month so that we can increase awareness of the need to properly stop when a school bus is loading and unloading students.
- 6) Cleans up inconsistencies and misalignments in current law regarding vehicular homicide and assault penalty enhancements.

Quite simply, there is no excuse for illegally passing a stopped school bus. Getting to your destination 15 seconds earlier is not more important than the lives of our children. Without a doubt, this bill will increase awareness of stopping for school buses, make drivers think twice about passing a school bus, and significantly strengthen penalties so that drivers who show little to no regard for the safety of children will be off the road longer.

Chairman McColley, thank you for allowing me to testify, and I am ready to answer any questions from members of the committee.

⁵ Police Say 18-year-old Driver ‘Panicked’ After Striking Two Children Getting Off School Bus (<https://fox8.com/2019/05/14/police-to-give-update-after-two-children-struck-by-car-while-getting-off-school-bus-in-willowick/>)