



OHIO TOWNSHIP ASSOCIATION

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The Honorable Brett Hillyer, Chair
Civil Justice Committee
Ohio House of Representatives
77 S. High St., 11th Floor
Columbus, OH 43215

Re: HB 472 Political Subdivision Liability

Dear Chairman Hillyer:

On behalf of the Ohio Township Association (OTA), I am writing to express our opposition to House Bill 472, which makes significant updates to the standard of liability for political subdivisions when first responders are operating vehicles in emergency situations.

In defining the scope of liability for the operation of motor vehicles by public employees, the General Assembly wisely considered the critical function of first responders driving in emergency situations, which are an inherently dangerous and the likelihood of incident is increased. However, even first responders in these critical situations were not given blanket immunity. Pursuant to R.C. §2744.02(B)(1), the political subdivision could be held liable if the driver's acts or omissions amounted to willful or wanton misconduct. House Bill 472 would dramatically lessen the standard of liability to mere negligence.

The OTA, along with the Ohio Association for Justice, worked on an amendment to House Bill 421 last General Assembly that makes reasonable adjustments to the definition of emergency call to clarify when immunity applies. This language was subsequently included in Senate Bill 56, and the OTA feels this is an acceptable compromise that maintains balance in the law.

The OTA respectfully request that the committee reexamine the language in SB 56 as an alternative to the changes proposed in HB 472. If you have any questions about our position, please feel free to contact me at 614-863-0045.

Sincerely,

Heidi M. Fought
Executive Director