



Testimony to the House Finance Subcommittee on Public Safety
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Chairman Miller, Ranking-Member Miller, ladies and gentlemen of the Ohio House Subcommittee on Public Safety, thank you for giving us the opportunity to share our opinion on HB33. The Ohio Bicycle Federation would like to request that this subcommittee amend the Operating Budget bill to improve the recently enacted Distracted Driving legislation.

First, we would like to express our frustration in the proceedings that allowed two new amendments to be made to the distracted driving bill HB283 late in the last legislative session. At the last hearing by the House Criminal Justice Committee, the bill was amended to allow the use of electronic wireless communication devices (EWSDs) while stopped at a traffic signal and while holding the device “directly near the person’s ear”. Those of us who were opposed to those amendments wanted to testify against them, but the distracted driving legislation was added to SB288 (an unrelated bill on a myriad of criminal activities) without our knowledge. During the recent Senate Transportation Committee hearing, Senator Hackett stated that police departments supported the law because it is now a primary offense, but they also had no opportunity to weigh in on the amendments. Columbus police currently watch for texting motorists at red lights. A motorist stopped for using a cellphone can simply say they were raising the phone to their ear.

Why do bicyclists and pedestrians oppose the two amendments? When Rep. Abrams stated that cellphones shouldn’t be used at red lights because motorists won’t proceed on green, Rep. Seitz answered “that’s why God made horns”. Bicycles do not have horns, they have bells which are not audible to motorists in traffic. Bicyclists already have difficulty getting through a green light when the signal timing is short. If held up by a cellphone-using motorist, we are even more likely to get stuck in the middle of the intersection when the signal changes back to red. Why are pedestrians at risk? When a cellphone-using motorist is alerted by a following motorist’s horn that the signal has changed to green, will they look carefully for pedestrians in adjacent crosswalks while turning? No, they will quickly make their turn without taking the time to look.

There are other traffic signals that require motorists to stop where cellphone use will be allowed. These include the new pedestrian hybrid beacon where motorists should be watching for pedestrians and the fire station signal where drivers should be watching for fire engines making a run.

Several times since SB288 passed, while driving or bicycling, I have observed motorists crossing the centerline and heading in my direction. Thankfully the motorists looked up

in time to return to their side of the road. When I looked to see why the reckless driving, I saw the motorists holding their cellphone to their ear. Yes, Rep. Seitz, holding a phone to your ear is distracting. And despite the dedicated efforts of many people on the Ohio Department of Transportation Safety Committee, Ohio will NOT have a hands-free law!

What are we asking for? Simply remove the two amendments to HB283/SB288 which allowed these hazardous behaviors and will make the distracted driving bill less effective.

Thank you for your consideration of our request to enact a true hands-free cellphone law in Ohio.

