



Ohio Prosecuting Attorneys Association

Louis Tobin
Executive Director
House Bill 140 – As Introduced
Written Proponent Testimony
October 24, 2023

Chair McClain, Vice-Chair Dobos, Ranking Member Grim and members of the House Transportation Committee, thank you for the opportunity to provide written proponent testimony in support of House Bill 140.

The National Highway Transportation and Safety Administration publishes a Best Practices Guide for Reducing the Illegal Passing of School Buses that I commend to the Committee's attention.¹ There are a few important points from this guide that I want to highlight as reasons for our Association's support of House Bill 140:

Public Opinion. In 1997 NHTSA conducted a survey on speeding and other unsafe driving actions. Ninety nine percent of drivers interviewed felt that the most dangerous unsafe driving behavior was passing a school bus with its lights flashing and stop arm extended. People considered this act to be more dangerous than any other unsafe driving behavior, more dangerous even than racing another driver, driving through a stop sign or red light, crossing railroad tracks with red lights blinking, passing in a no-passing zone, and speeding.

Frequency of Illegal Passing. The Guide discusses studies from Florida, Virginia, and Illinois on the frequency of illegal passing activity. While these studies were conducted in the mid-1990's they are still instructive on the widespread nature of this problem. On one day in Florida, 10,590 vehicles illegally passed stopped school buses. On one day in Virginia 3,394 vehicles illegally passed stopped school buses, 187 of which were right-side passes, on the side of the bus students use to enter and exit. In Illinois, 135 bus drivers reported 3,450 violations over a 41 school day period. Based on these findings, there are hundreds of thousands of acts of illegally passing a school bus every single year, each putting the lives and safety of our school children at risk.

Education/Awareness and Enforcement. NHTSA suggests that "A successful comprehensive effort to reduce stop-arm violations must be two-pronged involving Education/Awareness and Enforcement." Specifically, they suggest educating school bus

¹ <https://www.nhtsa.gov/school-bus-safety/reducing-illegal-passing-school-buses>

drivers in proper stopping procedures, school bus passengers in how to enter and exit safely, and motorists on the law and the dangers of not obeying the law, and increasing enforcement of illegal passing.

House Bill 140 goes to the heart of what is recommended by NHTSA to address the problem of illegally passing school buses. Most significantly from our prosecutors' point of view, the bill provides additional teeth to enforcement efforts by increasing the penalties for illegal passing for both first time and, even more critically, repeat offenders and by explicitly allowing evidence from school bus cameras to identify violators. The legislation also contains a public awareness piece that requires deputy registrars across the state to display a graphic that instructs drivers to stop and yield for stopped school buses.

Thank you again for the opportunity to provide written remarks in support of House Bill 140. The bill is a measured response to a critical issue in Ohio and one that shows the legislature's commitment to the safety of school children. The bill will help improve enforcement and awareness of illegal passing and ensure that Ohio law enforcement have better tools to help keep school children safe. We encourage the committee's favorable consideration of the bill.