



Testimony to the Senate Transportation Committee
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Chairwoman Kunze, Vice-Chairman Reineke, Ranking-Member Antonio, ladies and gentlemen of the Ohio Senate Transportation Committee, thank you for giving us the opportunity to share our opinion on HB23. The Ohio Bicycle Federation would like to endorse the request from MORPC's Director Murdock and Sharon Montgomery to amend the Transportation 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. Even if interested parties had been aware that this law had been added to SB288, we would not have been able to testify on the amendments when the bill was discussed by committee members and voted out of committee at the late date of December 14, 2022. Last week Senator Hackett stated that police department 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 shameful amendments to HB283/SB288 which allowed these behaviors and will make the distracted driving bill less effective. Another change we had requested for HB283 is to prohibit EWSD use by all drivers including bicyclists. This could easily be done by removing the word “motor” from Ohio Revised Code 4511.204. The draft version of the national standard for crash reports includes driver distractions for non-motorists (e.g. bicyclists and pedestrians).

We also oppose the changes to prohibit townships and counties from utilizing traffic law cameras. Haven't legislators seen the increase in red light running and speeding which occurred during the COVID lockdowns and have continued unabated since the lockdowns have ended? Seattle has utilized traffic cameras to enforce speed limits in school zones and it is so successful they are expanding their program. When Representative Patton introduced similar laws in House Bills 547-553, he shared an experience of one of his constituents who received a speeding ticket from a monitored speed camera while he and his wife were taking their grandchild to a park. Rep. Patton should want to encourage grandparents to obey speed limits when transporting their grandkids! It's the 21st century and Ohio is permitting autonomous vehicles on our roads and autonomous delivery robots on our sidewalks, so we should be permitting autonomous enforcement of our traffic laws.

Thank you for your consideration of our request to enact a true hands-free cellphone law and continue traffic camera law enforcement throughout Ohio.

**“You tell his mom
you only looked
down to text.”**



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