



Ohio Senate
16th District

Jim Hughes

State Senator

Senate Building
Columbus, Ohio 43215
614-466-5981

Committees

Financial Institutions – Chair
Civil Justice
Criminal Justice
Finance
Finance – Higher Education Subcommittee
Insurance
Rules and Reference
State and Local Government

Sponsor Testimony
Substitute Senate Bill 146
House Judiciary Committee
October 6, 2015

Chairman Butler, Vice Chair Manning, Ranking Minority Member Stinziano, and members of the House Judiciary Committee. Thank you for giving Senator Seitz and me the opportunity to present to you Substitute Senate Bill 146.

During the 130th Ohio General Assembly, I sponsored legislation to establish September as “Safe Driving Awareness” month. Now, I, along with my colleague Bill Seitz, are continuing our efforts to push to promote safe driving, keeping our roadways safe by introducing Substitute Senate Bill 146, which is aimed at targeting distracted driving.

In today’s world, current technology has aided in the creation of a society that is constantly communicating, whether it be texting, emailing, searching directions, surfing the web or listening to music. The dangers of taking part in these activities while behind the wheel are a harsh reality on our roads. With all of these high tech devices and society wanting to be connected at all times, it’s so easy to get distracted when behind the wheel.

The National Highway Safety Administration reports that 3,154 people were killed and an estimated 424,000 people were injured in motor vehicle crashes involving distracted driving. 10% of fatal crashes and 18% of injury crashes in 2013 were reported as distraction-affected crashes.¹ Distracted driving was involved in more than 17,800 crashes in Ohio in 2014, or about 6 percent of all accidents, according to the Ohio State Highway Patrol.²

Substitute Senate Bill 146 would create an enhanced penalty for “distracted driving” that can only come into play when a driver is pulled over for another moving violation, which is currently a minor misdemeanor offense under Ohio law. Additionally, a law enforcement officer would only be able to issue a citation for “distracted driving” if they witness the offense at the same time as another moving violation, such as running a stop sign or red light. The legislation requires that the person cited for distracted driving pay a fine of one hundred dollars for each offense.

Substitute Senate Bill 146 was amended in the Senate Criminal Justice committee, without objection, to incorporate the following changes:

1. To provide an alternative to allow offenders to complete a distracted driving safety course in lieu of paying the fine (the language specifies that the course content and duration shall be established by the Director of Public Safety);

¹ NCSL **Traffic Safety Trends State Legislative Action 2014** By Anne Teigen, Douglas Shinkle and Amanda Essex February 2015

² **“Ohio troopers issue more than 1,000 tickets in crackdown on distracted driving”** Robert Higgs, Northeast Ohio Media Group, Northeast Ohio Media Group Columbus bureau chief The Plain Dealer July 30, 2015 at 12:45 PM, updated July 30, 2015 at 12:57 PM

2. To add integrated automobile manufactured technology systems to the covered exceptions to the offense of distracted driving (automobile manufacturers are placing integrated systems into their vehicles to try to make it as safe as possible for driver's to use their cell phones while driving by talking into the systems that are built into the automobiles to reduce the need for actually using cell phones and to reduce the distracted driving risk- this language has the support of General Motors, Honda, the Ohio Automobile Dealers Association and the Alliance of Automobile Manufacturers);

3. To add utility service vehicle drivers to the covered exceptions to the offense of distracted driving. This change was necessary to ensure that those who are responding to emergencies, power outages or circumstances that could affect the health or safety of Ohio's citizens can use the communications equipment in their utility service vehicles or a vehicle for or on behalf of a utility to respond to issues where lives and property could be at risk. The trucks used by the utility companies are not all fitted with integrated communications systems and sometimes information is relayed through cell phones or other devices;

4. To clarify that "distracted" doesn't include drivers wearing earphones.

In committee, Substitute Senate Bill 146 received proponent testimony from: The Department of Public Safety; Dom Tiberi, 10TV Sports anchor/Maria Tiberi Foundation; former Ohio State Coach John Cooper; former Ohio State Coach Earle Bruce; Mid-Ohio Regional Planning Commission; Ohio Association for Justice; Ohio Prosecutors Association; Ohio Conference of AAA Clubs; The Alliance of Automobile Manufacturers; and the Ohio Bicycle Federation. No opposition testimony was presented, or submitted, to the committee during the four public hearings that this legislation received.

This legislation received unanimous, bipartisan support in the Ohio Senate as it was reported from the committee 9-0 and by the full chamber 32-0.

Distracted driving is extremely dangerous and unfortunately all too common. It is our hope that this legislation will encourage drivers to remain focused on the road and help save lives. To be clear, our legislative goal is to encourage Ohio drivers to be cautious when driving and to think of their safety before anything else. No text message or phone call is worth losing your life or harming someone else. A bad decision in a split second can impact you or your family for the rest of your life or others. There is no 'reset' button to hit to change the outcome.

Chairman Butler and members of the House Judiciary committee, thank you for your consideration of Substitute Senate Bill 146. After Senator Seitz has presented his remarks, we would be happy to address any questions that the committee might have.