

Chairman Hambley, Vice Chair Patton and Ranking Member Brown, and members of the Civil Justice Committee, thank you for the opportunity to provide sponsor testimony on House Bill 27

It's been over three years now since a Cincinnati Police officer lost control of their vehicle while speeding through my neighborhood. Their cruiser spun completely around into oncoming traffic, and collided with my vehicle, which was parked in front of my house, with me inside.

According to the Cincinnati Police Department's own accident report, the "police cruiser failed to maintain control in a curve" and crashed into my car (which I had purchased nine days prior). But when I filed my damage claim with the city it was denied out-of-hand citing that under Ohio Revised Code 2744.02 that "the City of Cincinnati is immune from liability for damages of this nature."

Under ordinary circumstances between two non-governmental parties, the at-fault party or their insurance would be cited and responsible for damages—but, with the help of state law—specifically, Ohio Revised Code 2744.02—Cincinnati avoided paying out anything and the I was left with over \$13,000 in damages, medical bills, and lost wages.

I spoke with a few attorneys after my claim was denied and I was told that due to ORC 2744.02 filing a lawsuit against the city would be difficult. I have since learned of several other incidents like mine across the state.

HB 27 will end this unfair—yet legal—practice undertaken by local municipalities to avoid the financial responsibility for vehicular accidents involving municipal vehicles where the municipality was found to be at fault.

The legislation would bring Ohio in line with most states in terms of municipal liability for accidents—including Kentucky, Indiana, Michigan, Pennsylvania, and West Virginia. HB 27 protects municipalities when citizens are involved in unlawful activity such as a police chase and cause damage to their own vehicle, but it also provides for a process of restitution to citizens whose property is damaged through no fault of their own. State law already allows municipalities to enter into joint selfinsurance pools or liability and self-insurance programs through Ohio Revised Code 2744.082744.081. HB 27 simply seeks to remove the blanket immunity municipalities currently employ in defense of accidents for which they are at fault.

Chairman Hambley, Vice Chair Patton and Ranking Member Brown, and members of the Civil Justice Committee, I thank you for your time, and I hope to have the support of the committee behind House Bill 27. I will be happy to answer any questions at this time.