

**SUB. HB 119 TRAFFIC VIOLATIONS**  
**SHARON MONTGOMERY, OPPONENT**  
**9-22-20**

Chairman Manning, Vice Chair Brenner, and members of the Local Government, Public Safety, and Veterans Affairs Committee, I am Sharon Montgomery & I have been following traffic safety issues for 18 years, after being a victim of a fatal crash 20 years ago.

I apologize for the last minute submission of my testimony. Somehow I seem to have fallen off the e-mail list for hearing notices. By luck, a fellow activist let me know last night about this hearing.

This bill started out to further burden the use of traffic cameras and to clarify some language in 4511.991 from HB 95. The camera provisions got moved to the budget bill and the remainder of 119 got amended to also add two more traffic violations that the additional distraction penalty could apply to.

At first glance, adding more violations seems like it would enhance safety. Unfortunately, I don't believe that will be the outcome.

HB 95 listed 49 Title 45 violations that could result in an additional fine if caused by distraction. By listing these 49, the bill created two problems:

- 1) It omitted some violations that could easily result from distraction, and
- 2) It made enforcement much more difficult and thus, less likely to be done.

Any of us who have attended citizen police academies and/or done ride-alongs realize the vast amount of knowledge law enforcement officers must keep in mind at all times. And, they must be able to bring forward the applicable laws in the very short time they have to decide whether or not they have observed a violation. Having to remember which 49 are relevant here is unnecessarily difficult. Now we want to change 49 to 51.

I have no comment on the revised language attempting to be more clear. The original language was clear to me, but I have more experience than many drivers, in understanding traffic law language.

I can see five options for Sub. HB 119:

- 1) Pass it as is, or
- 2) Amend it again to simply include all Title 45 traffic offenses that could result from distraction, or
- 3) Let it die and start with a more effective bill in the next session, or
- 4) Let it die and put any of the provisions that are deemed useful into SB 285 and/or one of the other pending distracted driving bills, or
- 5) Let it die and rework Sec. 4511.991 in pending SB 285 to get us past all the confusions of HB 95.

Options one and two will still leave us with enforcement problems. Options three and four will require some revision to that part of SB 285. I believe the best option is the fifth one and I am prepared to ask those sponsors to consider clear, effective, enforceable changes to .991.

Thank you for the time you spend on traffic safety bills and for your attention this afternoon. I am happy to try to answer any questions.

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