

June 9, 2021

Chairman LeRe, Vice Chair Swearingen, Ranking Member LeLand, and Members of the House Criminal Justice Committee, my name is Mike Flamm. I am a Police Specialist for the City of Cincinnati, Police Department assigned to the Traffic Unit. I have been a police officer for the City of Cincinnati for approximately 25 years, while assigned to the Traffic Unit for 21 years. Thank you for the opportunity to testify in support of House Bill 283.

During my tenure within the Traffic Unit, I am responsible for the investigation of fatal and life altering injury traffic crashes; the worst of the worst. In addition, I am a trained crash reconstructionist, maintain an international accreditation within the crash reconstruction field, participate in instructing other officers and investigators principles of motion and related car collision topics and testify in numerous courts of record as an expert witness. Today I represent not only officers and crash investigators within this State, but parents, residents, traveling motorists and visitors who all travel upon our roads.

The demand for safe vehicular travel is not limited by socio-economic status, race, religion, or political affiliation. This is truly a quality-of-life demand. It affects each and every one of us. All people within the State of Ohio, during their daily commutes and travels, expect to arrive at their destinations safely. However, far too many collisions are occurring as a result of distracted driving. Whether a driver is texting, sending an email, entering an address into navigation, or attempting to dial their phone, far too often the end result is a vehicular crash. Each of us can tell a tale of a commute to work, church, school, or a sporting event where the motorist next to you had a phone in hand and not actively participating in the driving process. The message to not text and drive is all too well known. Anyone will agree that texting and driving is a dangerous practice, yet so many still practice this habit. In fact, many will still participate in this activity with little consideration of the possible consequences. We all see it every day.

Year-to-date, the City of Cincinnati has experienced 18 fatal traffic crashes, as compared to 10 in the same time period of 2020. This increase in fatal traffic crashes represent a staggering 55% increase. Only a portion of these collisions can be attributed to impaired driving or excessive speed. The question we must ask, is "How many of these collisions can be attributed in whole or part to distracted and/or texting and driving?" No one will argue that impaired driving, excessive speed, and otherwise recklessness during vehicle operation cannot be tolerated due to their potential disastrous consequences. In fact, over the years, legislation has been passed to prohibit these exact driving behaviors. Yet, as of today, legislation has not kept pace with technology. There are no substantial distracted driving laws. There is no real prohibition against this well-known dangerous habit.

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Motor vehicle crashes are the leading cause of death in 16 – 24-year-old age group. Distracted driving, increased risk taking and inexperienced driving has been shown to be causative factors in these crashes. In addition to this high-risk age group, text bans and handheld electronic bans can be associated with decreased traffic crash fatalities.¹ In addition, a study conducted by the National Academy of Sciences of the United States of America reported that “distraction is detrimental to driver safety, with handheld electronic devices having high use rates and risk.”² Of the many studies and ongoing research regarding the topic of distracted driving and cellphone usage, the common conclusion revolves around the answer that distracted driving is a serious risk causing causative factor in traffic crashes.

With the increase in fatal traffic collisions and the known risk causing factors involved with cellphone usage the time has come to enact meaningful legislation. The State of Ohio critically lags behind all but 3 other states in enacting more stringent prohibitions against the use of electronic wireless communication devices while in operation of a motor vehicle. With the onset of summer and the number of motorists on the road ever increasing, I support initiatives such as House Bill 283 which provide meaningful change and safer roadways for all. I request that each of you support House Bill 283.

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¹ ***Distracted Driving Laws and Motor Vehicle Crash Fatalities***

Michael R. Flaherty, Alexander M. Kim, Michael D. Salt and Lois K. Lee Pediatrics June 2020, 145 (6) e20193621

² ***Naturalistic driving evaluation of crash risk***

Thomas A. Dingus, Feng Guo, Suzie Lee, Jonathan F. Antin, Miguel Perez, Mindy Buchanan-King, Jonathan Hankey
Proceedings of the National Academy of Sciences Mar 2016, 113 (10) 2636-2641; DOI: 10.1073/pnas.1513271113