



Testimony to the House Criminal Justice Committee  
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Chairman LaRe, Vice-Chairman Swearingen, Ranking-Member Leland, ladies and gentlemen of the Ohio House Criminal Justice Committee, thank you for giving me the opportunity to speak on behalf of HB283. The Ohio Bicycle Federation is grateful to Representatives Abrams and Lampton for introducing this important safety legislation. We fully support the change to prohibit the use of hand-held communication devices in any manner and to make distracted driving a primary offense.

In his Transportation Budget testimony, ODOT Director Dr. Marchbanks shared the sobering statistics on the 29% increase in pedestrian fatalities in 2020 despite the 15% decrease in traffic due to the COVID-19 pandemic. Ohio saw an increase in bicycling and walking as Ohioans took to the trails and streets for exercise and mental health during stay-at-home orders and travel restrictions. Unfortunately, the lower volume of traffic led to an increase in speeding and red light running. In 2020, 4 of the 15 reported bicycle fatalities and 24 of the 156 reported pedestrian fatalities were speed related. Combining distracted driving with other unsafe behaviors is a recipe for disaster.

Distractions have been tracked in crash reports in Ohio since 2011, but motorists are unlikely to admit that they were distracted. But how many of us have seen motorists drifting out of their lane, and we see them using a phone or looking down at their lap? Observing this behavior while cycling or walking is especially frightening. Bicyclists and pedestrians fear the 3 Ds: Drunk, Drugged and Distracted Drivers. In Ohio in 2020 there were 10,561 instances where distracted driving from a source inside the vehicle, such as a phone, was documented as a crash factor. This figure is too high, but we should probably assume that many, many more cases of distracted driving go undocumented. Law enforcement members of the Distracted Driving task force headed by ODOT and ODPS say that they cannot pull over a suspected distracted driver because they cannot judge whether the driver is under age 18. In Columbus, where texting is a primary offense for all ages, Columbus police officer Keith Conner has written hundreds of citations and thousands of warnings. “The vast majority of the public seems to be driving with their head down,” Conner said. If you are reading this testimony online, watch the dashcam video from one of Officer Conner’s traffic stops. <https://www.youtube.com/watch?v=ZJ04uxpchRk> Strengthening the consequences for driving while distracted is an important measure that Ohio can take to lower the number of distracted driving incidents and make our roads safer for all users.

We also support the requirement for reporting of the race of the offender of the distracted driving law and regular reporting to the Attorney General, Governor and the Legislative

leaders. We believe that there is racial bias in bicycle traffic citations and we hope that in the future, all traffic violations will also require the same reporting of race.

HB283 makes texting a primary offense and goes much further by expanding the definition of wireless communication devices, adding to the behaviors which are prohibited and increasing penalties for injury and death which result from distracted driving. These changes would make all the difference in drivers' perception of the magnitude of this violation, and hopefully change their behavior. Do we want to remain one of only 3 states that do not consider texting while driving a primary offense? We should not wait for better reporting of crashes involving driver distractions before taking action to prohibit this unsafe behavior. This will reverse the increasing trend of distracted driving crashes and increase safety for all Ohioans.

