

Ohio House Criminal Justice Committee
Proponent Testimony for H.B. 283

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Chairman LaRe, Vice Chairman Swearingen, Ranking Member Leland, and members of the Criminal Justice Committee:

I am Dr. Jack Marchbanks, director of the Ohio Department of Transportation. Thank you for the opportunity to speak to you today about the lethal hazard of distracted driving and how you have the opportunity to save lives with House Bill 283.

The top transportation priority for the DeWine administration continues to be safety, but I should note that ODOT, and indeed the rest of the governor's administration, is but one part of a much larger coalition of local government, public safety, business, transportation, labor, and healthcare entities who have united in their support of House Bill 283.

Chairman LaRe, you and a few other committee members who also serve on Finance Committee may remember this spring when I shared the troubling statistics we've observed on our roadways during the pandemic. Overall, travel in the state was down about 15 percent last year compared to 2019 volumes. Unfortunately, traffic deaths did not decline with traffic volumes; they rose 6 percent. Ohio ended 2020 with approximately 80 more deaths than in 2019. Traffic deaths in the state have increased six of the past seven years despite safer vehicle technology. However, serious injuries declined for the fourth consecutive year.

It is suspected serious injuries in Ohio have been trending down because more people are driving newer, safer vehicles that reduce the severity of injuries in a crash. It is also suspected that fatalities have gotten worse because these safety features are less effective when drivers engage in the most dangerous activities such as driving without wearing a seatbelt, driving while severely impaired by drugs and alcohol, and just as crucially, driving distracted.

These behaviors are likely contributing to some other disturbing trends over the last year. Traffic deaths involving pedestrians were up 38 percent. Fatalities at intersections were up 40 percent. Fatalities involving motorcycles were up 29 percent.

So far this year traffic deaths appear to be up again. These numbers are preliminary, but it appears that as of May, traffic deaths are up about 30 percent over last year. Fatalities are up 21 percent for pedestrians, 37 percent for motorcyclists, and 57 percent at intersections. Fatalities involving large commercial trucks are up 72 percent. These numbers are beyond alarming.

There are many factors that go into a month-to-month spike in fatalities, including weather conditions, but this is certainly a trend that cannot continue. Driving at extreme speeds, not wearing a seat belt, getting behind the wheel impaired, and using an electronic device while

driving are choices drivers make. That means crashes and fatalities caused by these decisions are entirely preventable.

House Bill 283 aims to change the public's attitude about using an electronic device while driving, just as we did with seat belts and impaired driving. Crucially, the bill makes driving while handling an electronic device a primary traffic offense. Ohio is one of just four states with a secondary-offense law, and what I have heard time and again through conversation with law enforcement is that the current law is unenforceable without it being made a primary offense.

ODOT takes distracted driving seriously. More than 50 percent of the department's workforce perform many of their job duties near live traffic. House Bill 283 protects construction zone workers by doubling the fine imposed for a distracted driving offense committed in a work zone, just like speeding in a work zone.

Drivers who are distracted by a device while driving through one of Ohio's work zones pose a terrible danger to the lives of the dedicated men and women who work for ODOT.

Last year, despite the significant reduction in traffic volumes, there were 11 ODOT workers seriously injured in a work zone. That is almost twice as many as the previous two years, combined. Of course, our employees are not the only ones out on our roadways. It doesn't matter whether they work for ODOT, a municipality, a county, or a private contractor, let's make sure they return home to their families at the end of the day.

Mobile devices are more dangerous than traditional distractions. They take a driver's eyes off the road and mind off driving for longer periods of time, which slows a driver's reaction to hazards. But the key is the complexity of their use. The more complex the mobile distraction, the slower the reaction time and the longer it takes a driver's brain to refocus on driving.

People continue to use the technology because it's addictive. Technology today is designed to hook and maintain people's attention. Notifications, whether they're breaking news, emails, texts, or "likes" on Facebook, trigger the release of a brain chemical called dopamine that makes people feel good, so, they keep checking their phones.

The behavior has become endemic on our roadways. A recent poll conducted by the FOR Ohio Coalition indicates that distracted driving is the number-one worry of Ohio drivers. By a two-to-one margin, Ohio drivers said they worry most about distracted drivers as compared to drivers who are under the influence. Distracted driving is the top concern for Ohio drivers regardless of age, partisanship, political ideology, or region of the state. When asked if they would support legislation that would prohibit drivers from holding a handheld device while driving, 78 percent of respondents supported the measure. This support cut across age groups, media markets, political ideology and partisanship, as well as ethnicity.

Distracted driving is clearly the single-most important concern among Ohio's drivers, and 88 percent say they would be willing to obey the new law. This support includes at least 80 percent of all age groups. They said they see other drivers using hand-held cell phones nearly every time they are on the road, and three-fourths of them describe it as just as dangerous or more dangerous

than driving under the influence.

Chairman LaRe, Vice Chairman Swearingen, Ranking Member Leland, members of the committee, Ohio motorists see distracted driving on the roads every day, and they overwhelmingly support the provisions in House Bill 283. The toll of distracted driving is evident in the increasing road fatality statistics and the shocking number of Ohioans who are injured or killed while working along roadways. With this bill, you have the opportunity to save lives and to make sure there is never another year as deadly on Ohio's roadways as 2020 was.

Thank you, Mister Chairman. I'm happy to answer any questions.