

Larry S. Moore

The Criminal Justice Committee  
The Honorable Jeff LaRe, Chair  
The Honorable D.J. Swearingen, Vice Chair

Members of the Committee:

Rep. David Leland  
Rep. Cindy Abrams  
Rep. Willis E. Blackshear, Jr.  
Rep. Sedrick Denson  
Rep. Tavia Golonski  
Rep. Adam C. Miller  
Rep. Phil Plummer  
Rep. Sharon A. Ray  
Rep. Jean Schmidt  
Rep. Bill Seitz  
Rep. Andrea White

RE: HB 283 Distracted Driving, sponsors Representative Cindy Abrams and Representative Brian Lampton

I am offering my testimony as an individual Ohio citizen. I am a victim of distracted driving. However, I still oppose this bill. I realize I am in a huge minority to oppose this legislation.

The legislation will not change the behavior of those who use electronic wireless communications devices (EWCD) while driving. We are putting our responsible citizen logic into this bill. However, the people who engage in this behavior have proven they are not responsible. They do not think like we do. If they think at all, they believe they will not have accident nor get caught. The drivers who text while driving will continue to do so.

People are distracted while driving for many reasons such as personal issues, a bad day at work, partner relationships, eating in the vehicle, excitement for an upcoming activity or even music on the radio. I own a 2020 F-150 King Ranch pickup truck. I literally cannot change the radio station without looking at the screen in the center of the dash. I often must swipe on the screen to scroll to the desired channel and touch a minimum of two buttons on the screen.

October 16, 2018 I was rear-ended in Riverside Ohio while driving on Needmore Road. I was driving in the right lane at approximately 45 mph. The young man swerved into the left rear of my truck while we were moving. He was attempting to plug his cell phone into the charger. He initially passed me to run but the front of his car and radiator were damaged enough to prevent

that. He had lots of reasons to run. When he passed me to run, I could tell he wasn't wearing a seatbelt. Since the speed limit was 45 mph, in order to hit me, he was driving over that limit. The disgusting icing on this cake is that he also had no insurance and his driving privileges were under suspension!

So let's count the violations: speeding; distracted driving; driving under suspension, no insurance and seat belt use. However, the only charge filed was a failure to control. The investigation Riverside officer told me about 50% of the accidents they investigate at least one party doesn't have insurance. Based on what I can tell from court records, the only punishment was to extend the period of his license suspension. Yeah - that will fix it - right?

Ohio drivers have been required by law to wear seat belts for several decades now. Still we have a "click it or ticket" campaign. Or course when charges are not filed it doesn't matter very much. We have to sign an affidavit that we have insurance in order to get our vehicle registration. In this case there was no penalty for the distracted driver for not having insurance.


As I travel around Ohio and the country, I see many drivers using EWCD and not hands free. I recently watched a driver in Xenia blow through a stop sign while looking at his phone. Thankfully one of us was paying attention. I've observed drivers sit through a traffic light turn signal while looking at a cell phone. Simply passing this legislation is not going to change their behavior.

The legislation includes requirements to erect signage informing motorists of the dangers. I already see electronic signage and others warning to not text and drive. I see target enforcement areas for distracted driving. I also see signs declaring the end of the distracted driving corridor. It's like saying, "Okay you can go back to texting now!" It also requires the registrars to pass out a paper about the law and prohibition. Yeah - that will work just like the insurance affidavit works!

All the various agencies and organizations supporting this hope the law will make a difference. I only wish it is so. The basic accomplishment of this legislation is to give the agencies, and, perhaps, most of all our elected representatives, a sense they have done something to make Ohio and their constituents safer. I am sure that is what the campaign websites will declare. I see that as a false sense of accomplishment. This simply gives law enforcement agencies more power over our daily activities without significant benefits.

I urge you to let this well-intentioned but unnecessary piece of legislation die in committee.

Respectively submitted,

  
Larry S. Moore