



Testimony to the House Finance Committee  
Wednesday, February 17, 2021  
Patricia Kovacs, Ohio Bicycle Federation Secretary  
pkovacs@att.net  
(614) 476-9093

Chairman Oelslager, Vice-Chairman Plummer, Ranking-Member Crawley, ladies and gentlemen of the Ohio House Finance Committee, thank you for giving me the opportunity to speak on behalf of HB74. The Ohio Bicycle Federation is grateful to the Finance Committee for including the important safety legislation to strengthen both our distracted driving laws and to improve the safety of pedestrians using crosswalks. 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. We also support the change to the pedestrian law to require drivers to stop and yield to pedestrians waiting at a crosswalk which has no traffic control signals.

ODOT Director Dr. Marchbanks shared the sobering statistics on the increase in pedestrian fatalities in 2020 despite the 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. The pedestrian crosswalk law introduced in 2019 as SB73, which requires drivers to yield to pedestrians waiting to cross unsignalized crosswalks, had no opponents, was supported by the Ohio Association of Chiefs of Police and was passed unanimously by the Ohio Senate in February, 2020. We hope this law, if enacted, may help to decrease the prevalence of speeding on our city streets. This change to the pedestrian law will also increase safety for bicyclists who cross roadways from shared use paths and will require roadway bicyclists to stop and yield to pedestrians in crosswalks.

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.

HB74 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.

