



**House Bill 283 Proponent Testimony**  
Ohio House of Representatives Criminal Justice Committee  
Brad Lemons, Senior Vice President, Personal Lines Product and Underwriting

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Chairman LaRe, Vice Chair Swearingen, Ranking Member Leland and members of the House Criminal Justice Committee, thank you for allowing me the opportunity to provide testimony on behalf of Nationwide, strongly supporting House Bill 283. Additionally, I want to thank the primary bill sponsors, Representative Abrams and Representative Lamptom, for bringing forward this important legislation that will protect Ohio drivers from expensive and, too often, deadly crashes caused by motorists trying to operate a vehicle while driving blind because of looking down at a mobile device in their hand.

Nationwide, a Fortune 100 company based in Columbus, Ohio, is one of the largest and strongest diversified insurance and financial services organizations in the United States. Nationwide has been protecting people, businesses, and futures for more than 90 years; and has a vested interest and a long history in advocating for safer roadways. Today, I'm going to share with you our latest insights into the danger of distracted driving, which is a leading cause of concern on our roadways.

For many years, the safety community has struggled to quantify the impact of distracted driving. Data collection has been cumbersome if not impossible. But that's all changing. Now, innovative technology is providing actual data that underscores the dangers of using a hand-held device while operating a motor vehicle.

A new and growing innovation for the auto insurance industry is Usage-Based Insurance (UBI), which tracks mileage and driving behaviors. Nationwide has a solution called SmartRide®. In September of 2020, Nationwide's SmartRide mobile app started showing drivers when and where they were driving while distracted by their phones. Through the capturing of this data, we now know the real story about distracted driving—and the distraction trends uncovered are alarming.

Imagine driving down the road at 45mph and losing complete visibility (or simply closing your eyes) for 6 seconds. No breaking. No slowing down. Just barreling forward with no ability to see. Our program has found that this is essentially what drivers do 13 times every day. Drivers are taking their eyes off the road an average of 13 times a day, for 6 seconds at a time, driving at 45 miles per hour, travelling the distance of a football field. 6 seconds is the average time spent tapping screens.

Through our data, we know that most drivers are driving while distracted. Nearly 70% of SmartRide mobile drivers were distracted by their mobile device while driving at least once during the day. Over 40% of all trips contained at least one distraction. This data was collected while examining nearly 14 million trips covering 131 million miles driven.

We've all known for some time that distracted driving as a contributing cause to auto accidents is severely underreported. For the state of Ohio, traffic fatalities have risen six of the past seven years, and overall crashes in Ohio remain persistently high at a time when vehicles themselves are getting safer and investments have been made towards road infrastructure. In 2020, travel in Ohio was down approximately 17%. However, traffic fatalities rose 7% compared to 2019. As of mid-May, 2021 traffic deaths are up by 34% compared to 2020, even though traffic volume remains down by about 5% over pre-pandemic levels. This leads us to question what is causing this uptick and what can we do to reverse the trend?

The real story is that too many people are driving blind on our roadways. A hands-free approach is practical and proven to be effective in reducing traffic crashes, injuries, and fatalities. States that have adopted these laws have seen a 15% percent decrease in fatalities within two years, with some states experiencing even more dramatic decreases. Combined with heightened public awareness, and the development and adoption of technologies like SmartRide, the enactment of this bill will significantly improve the safety of Ohio's roadways.

We applaud the work of this committee to consider HB 283. Our company feels so strongly about this issue that we are advocating for passage of hands-free/primary enforcement legislation –not only in Ohio—but in all 50 states. I've included an op-ed from our CEO on this issue as an appendix to my testimony.

Again, thank you for your consideration to vote YES on HB 283 to change the culture of distracted driving. This legislation will save lives by keeping eyes on the road and hands on the wheel. I'd be glad to answer any questions from the committee.

# The Columbus Dispatch

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## Column: 'Hands-free' laws would make roads safer

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Kirt Walker

Posted Feb 11, 2020 at 4:16 AM

We've all been there, behind "that" driver. The one driving erratically with one hand on the wheel, the other hand holding a mobile device, looking down and typing, oblivious to the people he is endangering around him or in his own car.

And with the Cellular Telecommunications Industry Association telling us there are currently more than 1.2 wireless device subscriptions per American, the problem is only getting worse.

Some say distracted driving is on its way to becoming an even more pervasive threat than drunken driving.

The National Safety Council estimates that 1 in 4 motor vehicle crashes are attributable to mobile phone usage and we at Nationwide can attest first-hand that these types of crashes are increasing the frequency and severity of the claims we pay out to our members. With a recent average of 37,000 deaths per year on our roadways, countless lives could have been saved and many more serious, life-changing injuries prevented if drivers' attitudes were changed about driving while holding a mobile device.

Compounding the issue is a patchwork of laws at the city, county and state levels across the country that make it difficult to prevent smartphone-related crashes. A recent study by the Ohio State University Risk Institute sponsored by the Ohio Department of Transportation reported that while driving under the influence of alcohol or drugs remains law enforcement's No. 1 priority, mobile phone usage has now surpassed both seat-belt usage and speeding as an enforcement priority.

As a mutual insurance company that exists to serve and protect its members, we at Nationwide believe now is the time to bring consistency to roadways across the country. We feel a moral imperative to create a mindset where distracted driving is viewed as just as culturally unacceptable and undesirable as driving under the influence of alcohol or drugs.

That's why our organization is advocating for hands-free laws to be passed in all 50 states as soon as possible. Currently, only 21 states, including Georgia, Arizona, and Massachusetts and the District of Columbia, have such laws on the books. We believe that drivers should have their eyes on the roadways instead of emailing, texting, shopping, posting, liking, viewing, watching or any other distraction caused by holding a cellphone. Our own internal testing has shown that hands-free devices have the potential to reduce in-vehicle distraction by up to 40%.

The hands-free approach is practical and effective. A study by the Insurance Institute for Highway Safety and the Virginia Tech Transportation Institution confirmed that frequent cellphone users have more near misses and crashes. And the near-miss/crash rate nearly triples when handling the phone while driving.

A review of data provided by the National Highway Traffic Safety Administration to the Ohio Distracted Driving Task Force revealed that states implementing hands-free legislation experienced an average 15.3% decrease in fatality rates within two years after their law was enacted.

We are proud to support Gov. Mike DeWine's recent announcement to strengthen Ohio's distracted driving laws as developed by a statewide Distracted Driving Task Force. We believe so strongly in the hands-free approach that we are also urging the National Council of Insurance Legislators to draft model legislation that other states can consider for implementation across the country.

We support enabling law enforcement to ticket drivers who are holding a mobile device while operating a motor vehicle, including texting, viewing videos or images, entering data, talking or broadcasting content. We also believe it is reasonable to make exceptions for emergencies, for voice-activated technology like Alexa or Siri, for navigation and for "single swipe" activation as long as the device is not held by the driver.

Although hands-free is not risk free, these laws are practical, enforceable and have proved to be effective in reducing highway fatalities, saving lives, reducing auto crashes and making roads safer.

As a company committed to protecting people, businesses and futures with extraordinary care, we're looking forward to working with officials across the country to raise awareness and to advocate for this change to keep all eyes on the road and both hands on the wheel.

In the meantime, please join me in putting down the phone as we share the roads.

*Kirt Walker is chief executive officer of Nationwide.*