



CASE STATEMENT:

Distracted Driving

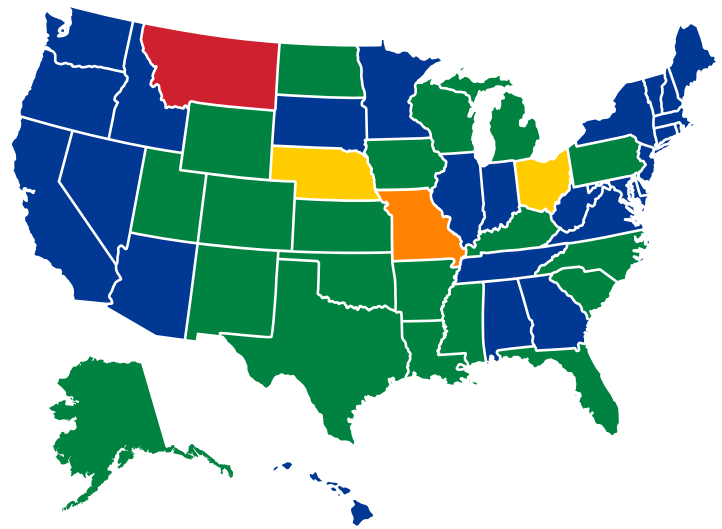
FIX OUR ROADS OHIO

Fix Our Roads Ohio (FOR Ohio) is a diverse coalition of Ohioans with a shared interest in the future of our state's economy and our quality of life. With more than 75 members from across the state, FOR Ohio's membership includes representatives of the transportation construction, engineering and planning industry, motorists, truckers, law enforcement and safety organizations, local governments, public transit, insurers, and state and local business groups. Formed in 2018, FOR Ohio's initial mission was to educate state leaders on the critical needs of Ohio's decaying transportation infrastructure, and to advocate for increased funding for state and local highways, roads and bridges and for an increase in state support for local transit. With strong support from Governor Mike DeWine, who was quick to recognize this critical need, the Ohio General Assembly passed bipartisan legislation that delivered substantial new revenue for state and local roadways with an overdue adjustment in Ohio's motor vehicle fuel tax, accompanied by new fees on electric-powered and hybrid vehicles and increased appropriations for public transit.

FOR Ohio now turns its eye to a pressing problem in our state that affects us all – distracted driving. Despite increased public awareness and education efforts, distracted driving continues to needlessly injure and

claim the lives of thousands of Americans every year. Ohio trails the majority of states in enacting primary enforcement hands-free laws and must address this growing concern.

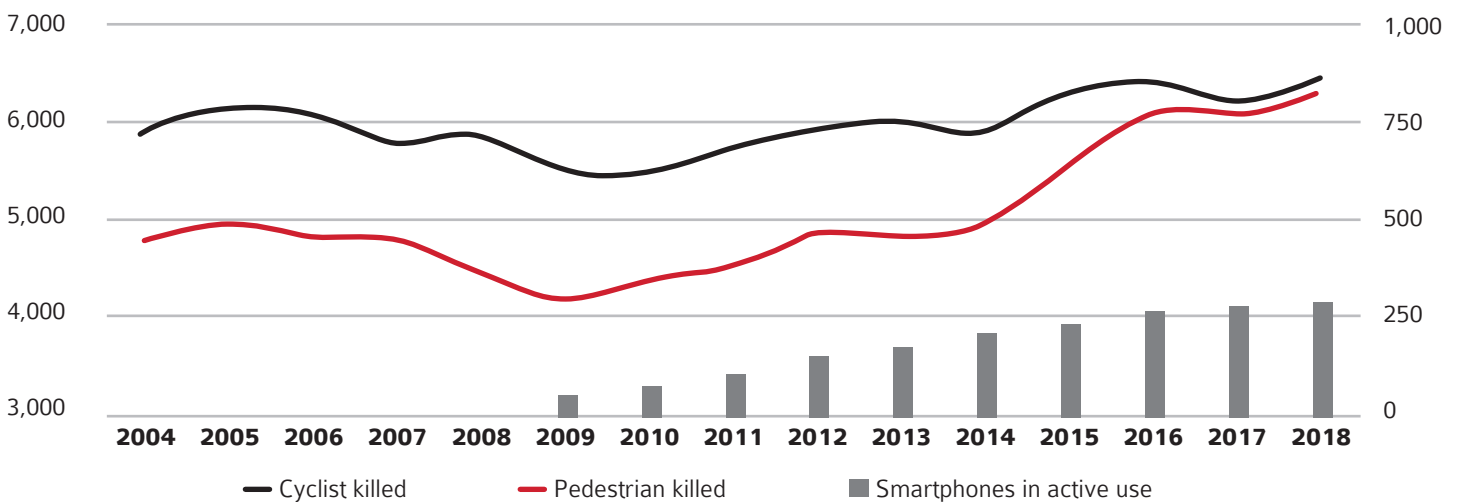
Distracted Driving & Hands-Free Laws in U.S.



- Primary Enforcement (All Handheld Devices, All Drivers)
- Primary Enforcement (No Texting, All Drivers)
- Secondary Enforcement (No Texting, All Drivers)
- Primary Enforcement (No Texting, Young Drivers)
- No Law Limiting Cell Phone Use

Source: National Conference of State Legislatures

Smartphones & Human Casualties in the U.S.



The graph above pairs the annual pedestrian and cyclist fatalities reported by NHTSA alongside the introduction and rise of smartphone use in the U.S. Seen over a longer time scale, the impact of the smartphone on the loss of life is dramatic and appears to be directly correlated.

DISTRACTED DRIVING

Current Ohio Law

With some exceptions, Ohio law currently prohibits all drivers from texting while driving. For adults, it's a secondary offense, meaning law enforcement cannot stop an adult driver solely for violating this law. For drivers under 18 years, the law is a primary offense, and they can be stopped for this violation alone.

Existing state law has proven difficult to enforce because a patchwork of local laws has created confusion for Ohio drivers. Despite a ban on texting while driving, crashes in Ohio continue to rise. An updated distracted driving law is needed to account for increasingly advanced technology and to provide consistency for Ohio motorists. Drivers must have their eyes and their minds on their own safety on the road and that of other motorists – not on texting, emailing, social media and other distractions caused by holding a phone.

Statistics

In 2018, more than 2,800 people nationwide were killed in crashes involving a distracted driver, and nearly 400,000 more were injured. According to the Ohio State Highway Patrol, more than 91,000 distracted driving crashes occurred in Ohio from 2013 through 2019, resulting in more than 47,000 injuries and 305 deaths. The actual number of distracted driving crashes, injuries, and deaths are likely much higher because distracted driving goes largely underreported. Mobile telematics data suggest that 40% of all trips involve significant cellphone distraction, and that 19% of crashes are attributable to phone-based distraction.

Fatalities in Ohio 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. In 2020, travel in Ohio was down about 17% and traffic deaths rose 7% compared to 2019. Ohio ended 2020 with 1,237 traffic deaths—82 more than the 1,155 reported in 2019. This rise is directly correlated to more people now having smartphones, leading to an increase in active distraction while behind the wheel. Reducing this active distraction will help save lives.

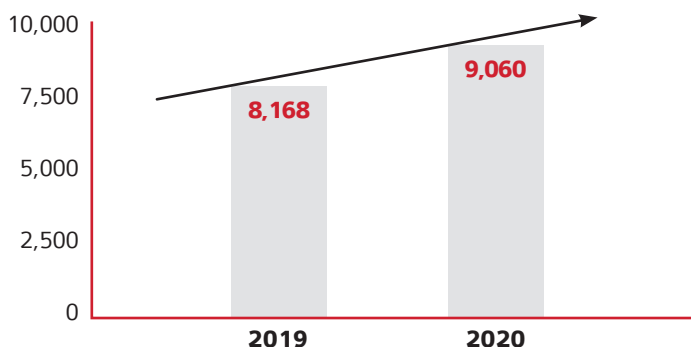
In addition to causing injuries and claiming lives, distracted driving is costly. Each traffic death costs Ohio about \$1.7 million and each serious injury \$157,000 in monetary losses associated with medical care, emergency services, property damage and lost productivity (ODOT). These costs are incurred by both insured and uninsured motorists across Ohio.

In line with its mission to keep Ohio roads safe for all, FOR Ohio supports specific policies that would modernize Ohio's texting law to a hands-free law.

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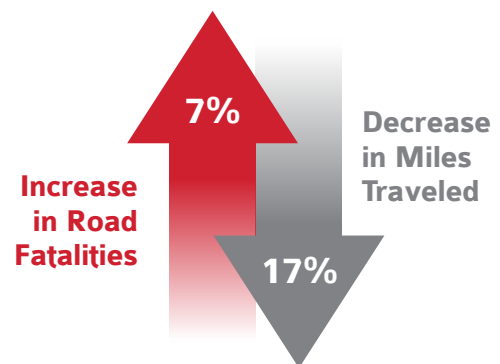
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Ohio State Highway Patrol Reported Distracted Driving Violations



Source: ODOT

State Comparison for Miles Traveled & Fatalities in 2019-2020



Source: ODOT

What have other states done?

Distracted drivers endanger not only themselves, but everyone around them—including other motorists, road construction workers, and pedestrians. Recent research by the AAA Foundation for Traffic Safety shows that most drivers support laws against distracted driving, with 75% supporting laws against holding and talking on a cell phone while driving. Surveys in other states also demonstrate overwhelming support for hands-free laws to deter distracted driving.

Forty-four states have passed various distracted driving laws. A review of crash statistics shows that states with hands-free laws with primary enforcement for all drivers have seen reductions in traffic deaths, many within two years after passing and enforcing new laws.

Policy Recommendations Supported by FOR Ohio

Based on the recommendations of the Ohio Distracted Driving Task Force and the ongoing work of the Distracted Driving Advisory Council, FOR Ohio is supporting positive changes to Ohio law regarding the problem of distracted driving, including a statewide hands-free law.

Hands-free. Prohibit vehicle operators from writing a message (text, email, etc.), posting on social media, viewing videos or images, manually entering data into a website or application, or broadcasting videos or images. Exceptions may include emergency situations, first responders, when a vehicle is stationary and outside a lane of travel, GPS (as long as the driver is not inputting data into the device, i.e., plot trip before driving); “single swipe” as long as the device is not supported by the body; and using voice activated technology (Alexa, Siri, etc.).

Education. Require driver education courses to include curriculum about the dangers of distracted driving and Ohio distracted driving laws.

Primary Enforcement & Penalties. Make distracted driving a primary offense, meaning law enforcement officers may issue a citation any time they see a motorist engaging in prohibited behavior, with suggested penalties outlined in the table below. FOR Ohio supports enhanced penalties for violations that occur in construction zones.

Suggested Penalties for a Primary Enforcement Hands-Free Law

Offense Category	POINTS		FINES
	Unclassified Misdemeanor	>30 mph	
55 mph zone / >10 mph:		4 points	
55 mph zone / >5 mph		4 points	
No excessive speed:		2 points	
All other moving violations where driver was distracted		4 points	
Property Damage and/or Injury	First-degree misdemeanor and possible suspension		
Serious Injury and/or Death	Treated as vehicular assault/vehicular homicide Equivalent to an OVI offense 3rd degree felony or above		

Hands-Free Laws Decrease Fatalities (from a year before passage to two years after)



Washington
down 22.3%



West Virginia
down 23.3%



Hawaii
down 27.4%



California
down 31.1%



Washington, D.C.
down 45.5%

Source: ODOT

FIX OUR ROADS OHIO COALITION

Fix Our Roads Ohio (FOR Ohio) is a coalition of stakeholders united in support of Ohio's transportation future. This includes supporting efforts to secure critical funding for Ohio's transportation infrastructure, as well as advocating for laws that encourage safe driving habits for all motorists sharing Ohio's roads and highways.

LOCAL GOVERNMENT

Ohio Municipal League
County Commissioners Association of Ohio
Ohio Council of County Officials
County Engineers Association of Ohio
Ohio Township Association
Ohio Mayors Alliance
Northeast Ohio Mayors and City Managers Association
Cuyahoga County Mayors and City Managers Association
Central Ohio Mayors and Managers Association
Ohio Rural Development Alliance
Ohio Public Transit Association

PUBLIC SAFETY

Ohio Fire Chiefs' Association
Buckeye State Sheriffs' Association
Emergency Management Association of Ohio
Ohio Association of Public Safety Directors

BUSINESS

Cincinnati USA Regional Chamber
Columbus Chamber of Commerce
Greater Akron Chamber Of Commerce
Dayton Area Chamber of Commerce
Toledo Regional Chamber of Commerce
Youngstown/Warren Regional Chamber of Commerce
Ohio Hotel and Lodging Association
AAA Clubs of Ohio
Dayton Area Logistics Association
Ohio Restaurant Association
Ohio Manufacturers' Association
Clean Fuels Ohio
UPS
Ohio Chemistry Technology Council
FedEx
Ohio Coal Association
Ohio Insurance Institute
Ohio Corn & Wheat Growers Association
Ohio Agribusiness Association
Ohio Insurance Agents Association
Nationwide
State Auto Insurance Companies
Westfield
Ohio Business Roundtable
AT&T
Ohio's Electric Cooperatives
Ohio Insurance Agents Association
American Property Casualty Insurance Association
Lyft
Ohio Auto Dealers Association
Ohio Farm Bureau Federation

TRANSPORTATION

American Council of Engineering Companies of Ohio
Flexible Pavements of Ohio
Ohio Trucking Association
Ohio Aggregates and Industrial Minerals Association
Ohio Contractors Association
Transportation Advocacy Group of Northwest Ohio
Ohio Association of Movers
Ohio Prestressers Association
American Society of Civil Engineers
Ohio Concrete
UNITED Equipment Dealers Association
Ohio Equipment Distributors Association
COTA
CSX Transportation, Inc.

REGIONAL COUNCILS

Ohio Association of Regional Councils
Akron Metropolitan Area Transportation Study (AMATS)
Belomar Regional Council and Interstate Planning Commission
Brooke-Hancock Jefferson Metropolitan Planning Commission
Buckeye Hills Regional Council
Clark County-Springfield Transportation Coordinating Committee
Eastgate Regional Council of Governments
Erie County Regional Planning Commission
KYOVA Interstate Planning Commission
Licking County Planning Commission; Licking County Area Transportation Study
Lima-Allen County Regional Planning Commission
Logan-Union Champaign Regional Planning Commission
Maumee Valley Planning Organization
Miami Valley Regional Planning Commission (MVRPC)
Mid-Ohio Regional Planning Commission (MORPC)
Mid-Ohio Valley Regional Council
Northeast Ohio Areawide Coordinating Agency (NOACA)
Northeast Ohio Four-County Regional Planning & Development Organization
Ohio Mid-Eastern Governments Association
Ohio Valley Regional Development Commission
Richland County Regional Planning Commission
Stark County Regional Planning Commission
Toledo Metropolitan Area Council of Governments (TMACOG)
Wood-Washington-Wirt Interstate Planning Commission

LABOR

The Fraternal Order of Police, Ohio
Ohio Laborers' District Council
International Union of Operating Engineers Local 18
Indiana-Kentucky-Ohio Regional Council of Carpenters



For more information about Ohio's transportation infrastructure, visit us today at [FixOurRoadsOhio.com](https://www.FixOurRoadsOhio.com)

Poll shows Ohio drivers strongly favor new law to prevent distracted driving

A new public opinion survey finds that distracted driving is the number one concern for Ohio drivers, and an overwhelming majority support stricter laws to keep Ohio roads safe.

The survey found that distracted driving is *the* major worry for Ohio drivers by a two-to-one margin over drunk driving (48%-22%). This concern holds true regardless of age, partisanship, political ideology or region of the state.

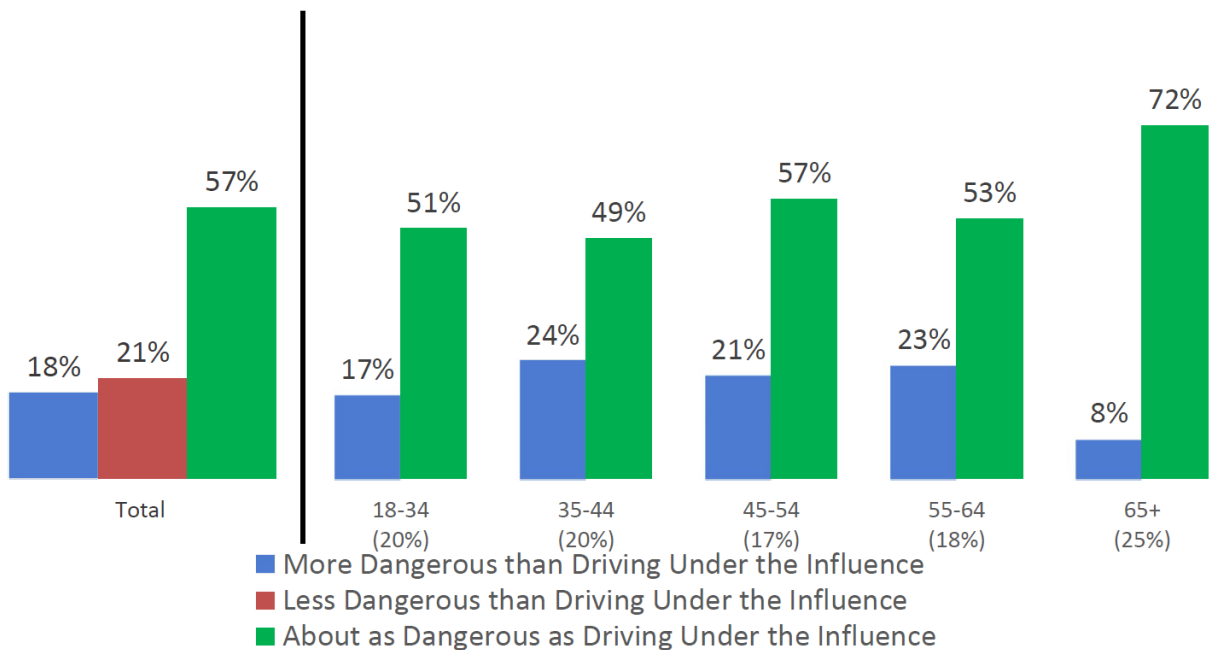
More than 50% of Ohio drivers say they see another driver using their hand-held phone while driving “nearly every time they go out” (22%) or “most times they go out” (31%). Fully 75% say that using a hand-held cell phone is more dangerous (18%) or just as dangerous (57%) as driving under the influence of drugs or alcohol.

This sentiment is shared by Ohio drivers across all age groups.

When Ohio drivers are asked about a potential new state law dealing with distracted driving, they support it by a wide 78%-15% margin, with fully 45% saying they strongly favor it. Support for the new law cuts across age groups, media markets, political ideology and partisanship, as well as ethnicity. The vast majority (88%) of Ohio drivers say they would be willing to obey the new law, and overwhelmingly reject the notion that the law is not needed – again, holding true across partisanship, ideology, age, ethnicity and region.

Click [here](https://fixourroadsOhio.com/distracted-driving/) to see the full survey presentation, or visit <https://fixourroadsOhio.com/distracted-driving/>.

Fully 75% of Ohio drivers believe that using a hand-held phone while driving is either “more dangerous” or “just as dangerous” as driving under the influence.



Do you believe that distracted driving by drivers who use their hand-held cell phones while they drive is more dangerous than driving under the influence, less dangerous, or about as dangerous as driving under the influence?

