

House Transportation Committee

Testimony

February 12, 2015

HB 2195

My name is Brian R. Thompson and I am a member of ABATE of Kansas. I want to thank the committee for holding this hearing on HB 2195 regarding right-of-way violations in Kansas.

Kevin McVeigh. Gary Kroeker. Christopher Burkes. Three men who lost their lives due to the negligence of others. Three men who had nothing in common except how their lives were ended prematurely, and the people responsible for their deaths were fined an average of \$50.00.

On average, 57 people are killed in Kansas every year due to right of way violations. The maximum fine provided by state law is \$110.00, with the average fine being \$50.00. There is no increase in penalties for repeat offenders, no jail time, no license suspensions, just a \$50.00 fine. That is not a deterrent, nor is it justice for the families of the victims. Far from justice, it is an insult.

The recently enacted law banning texting while driving calls for a minimum fine of \$60.00, which is more than the average fine for killing someone through negligence. Texting while driving has the potential to harm someone else. Killing someone is harming the victim as well as their families forever. Yet, the fine of \$50.00 is not a deterrent against this type of negligence.

As motorcyclists, we are very vulnerable to these actions, but this is not a motorcycling issue. Over a 15 year time span in Kansas when almost 1200 people were killed by right of way violations, only 7% of the victims were motorcyclists. These acts of negligence affect everyone. People in cars, pickups, campers, bicycles and pedestrians are all affected by right of say violations. At 57 deaths per year, it is second only to drunk diving for fatalities on Kansas highways. The number of accidents each year surpassed alcohol involved accidents by almost a 3 to 1 margin.

We are asking for more penalties to bring some justice to the victims and their families. Suspension of licenses, substantial fines when this negligence causes serious injury or death. Increased penalties for repeat offenders. As Mothers Against Drunk Driving has shown, increasing penalties can raise awareness of these actions, and improve highway safety. Two neighboring states, Iowa and Oklahoma have recently enacted increased penalties for this particular type of negligent driving, as have 16 other states. We need to call attention to this action that is needlessly killing people in Kansas through sheer negligence.

In murder cases, the families are allowed to speak to the judge regarding sentencing, and give their views on how the guilty party should be treated. In right of way fatalities, the families have no input even though the victims are just as dead. We are asking this committee to give voices to those families, to provide some justice, and to set a level of legal penalties that will provide some deterrent to these types of fatalities.

Kevin McVeigh, Gary Kroeker, Christopher Burkes as will of dozens of others have died needlessly. They are not just names on a police report, but people who died due to no fault of their own. Please, we ask you, enact this needed legislation to improve highway safety in Kansas.

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