

March 16, 2017

Debbie Liddel
901 Randall Road
Lawrence, KS 66049

Kansas House of Representatives
Transportation Committee

RE: Senate Bill 144

Honorable Ladies and Gentlemen of the committee:

I am writing in opposition to this bill. While I believe the intent was to try to prevent texting or talking on cell phones while in construction zones and school zones, the way it is written also prohibits other communications as well, including amateur radio. Amateur radio operators are licensed by the FCC. To become licensed, each operator must pass one or more exams, depending upon the license class they wish to hold. These exams test the operator's knowledge of technical aspects of radio, frequencies where they can legally transmit, regulations and best practices for safe operations including mobile operations. I note that there is an exception for commercial vehicles which are radio dispatched. Previously I worked for a company that used such a dispatch system. One of my duties was to act as dispatcher. I was not required, nor were the drivers, to have any training or license before using the radios. The company had to have a license but, again, there was no training or testing on the safe use of the system. Other than the expertise of the operator, I do not see a difference between amateur radio and commercial radio – or Citizens Band radio, or several other types of mobile radio. It seems to me that if any group is to be exempt from additional regulations, it should be amateur radio operators.

Current law already prohibits texting while driving. If additional legislation is needed, the issue of amateur radio can be solved by substituting the definition of a wireless communications device as suggested by the American Radio Relay League (ARRL) “ ‘Personal Wireless Communications Device’ as used herein means a device through which commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services are transmitted. Such devices include hand held or portable electronic equipment capable of providing full duplex, wireless voice or data communications via the public switched telephone network between two or more people, and devices for text messaging or paging, but do not include two-way radio communications equipment such as that used in the Amateur Radio Service.”

The problem of inattentive driving is real but if it has not been solved by laws prohibiting texting while driving generally adding a prohibition for construction zones and school zones cannot reasonably be expected to solve the problem. Apparently legislation has not worked up to now so perhaps the answer is in public education and not more legislation.

Thank you for your attention to this matter,

Debbie Liddel, Amateur Radio call sign KC0RYF, general class license