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**Testimony to the Senate Transportation Committee
In Support of SB274
January 30, 2018**

Chairman Petersen and Committee Members,

Our associations support SB274. In 2016, failing to give full time/attention to driving was the top contributor to traffic crashes in Kansas.¹ This was a contributing circumstance in at least 20%, or nearly 15,000, of the crashes.² From 2012 through 2016, 456 traffic fatalities in Kansas involved distracted driving.³ And we know in many crashes distracted driving occurs but is not identified.

The proposed new statute is straight forward and will help officers to address the continuing problem of distracted driving. It is important to understand how this statute would apply. The proposed statute has two elements that must be proven to be in violation.

1. The violator must have engaged in a distracting activity while operating a vehicle. “No person, while operating or attempting to operate a vehicle shall engage in any activity or do any act. . .”
2. The activity above must result in evidence of a lack of safe operation of the vehicle. “. . . that interferes with the safe control and operation of the vehicle.”

The issue of distracted driving takes on many forms. As officers, we see many non-driving related activities people engage in while operating a motor vehicle. For example, reading a book or newspaper, putting on makeup, shaving, texting, and many others. Even talking on a cell phone is enough to create a lapse in safe operation to many drivers. Under the proposed law, it would be a violation when it does affect the safe operation of the vehicle, while leaving such activities not applicable to the law without articulable indicators for such loss of safe operation. It is not subject to enforcement simply because the activity *could have* resulted in a lapse of safe operation. This is very similar to a City of Topeka ordinance that has been used for many years. One which I personally utilized during my career. I can tell you it works. It is enforceable.

This bill may not be the easiest to enforce or the ultimate solution, but it does offer an improvement over the tools we have today, it still is not the easiest to enforce solution to the distracted driving problem. But this problem is getting so large we must take some action to address it. Please recommend this bill favorably.

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¹ Kansas Transportation Quick Facts (<http://www.ksdot.org/Assets/wwwksdotorg/pdf/QuickFacts.pdf>)

² 2016 Kansas Traffic Crash Facts

(<http://www.ksdot.org/Assets/wwwksdotorg/bureaus/burTransPlan/prodinfo/2016factsbook/CCs.pdf>)

³ KDOT Drive to Zero 2016 Dashboard Report

(<http://www.ksdot.org/Assets/wwwksdotorg/bureaus/burTrafficSaf/reports/reportspdf/2016AnnualDashboardReport.pdf>)