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Testimony in Support of SB 274

Chairman Mike Petersen and Members of the Senate Transportation Committee

I am writing in support of SB 274. As manager of the Bicycle Pedaler I have seen my fair share of scary moments regarding motorist's interactions with cyclists. Each one has changed my life, but the saddest one affects me every day. In 2010 the Race Across America (RAAM) was passing through Kansas. Diego Ballesteros, a Spanish participant, was riding east on Highway 254 when he was struck from behind by an inattentive motorist. Diego lived, but was paralyzed from the chest down. The driver was never charged, despite initially saying that he was using his cell phone. Because he hit Diego before he hit "send", the phone records couldn't prove that he was using it. Diego had no feeling in his legs, no money, and no legal recourse. Insurance didn't come close to covering the medical flight back to Spain or Diego's medical bills. A close friend, Ben Sciortino, helped Diego by loaning him \$21000 to get a flight home where he could start the long road to recovery. Though nothing would ever be the same for Diego, he found the strength to forgive the driver.

Every day since that incident occurred I have stared at the "Diego Ballesteros donation fund" jar that we keep on our counter at work. Sometimes I feel so fortunate that my fate has been kinder. Sometimes I feel guilty for being able to ride thousands of miles of Kansas roads without a scratch, while he only made it a few hundred before having his cycling career ruined. Sometimes I am angry that people feel so invincible once they close the door to their automobile, and sometimes I'm angry because our current laws do not discourage that sentiment enough. A motor vehicle is a deadly weapon when improperly used, and our laws should reflect that. Thank you for taking the time to read this,

Zack Abercrombie