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**Testimony to the Senate Committee on Transportation in Support of SB441**  
March 13, 2018

Chairman Petersen and Committee Members,

The Johnson County Sheriff's Office supports SB441 relating to creating the negligent driving traffic violation.

The goal of traffic law is to protect lives and property by providing an established and recognized procedure for operating vehicles in a safe manner.

This traffic infraction requires two (2) elements – 1) "operating or attempting to operate a vehicle," and, 2) "engage in any activity or do any act that interferes with the safe control and operation of the vehicle." Both conditions must be present to trigger an enforcement action. If a person is safely operating a vehicle while doing some other activity, there is no infraction. If they are doing some other activity and **not** maintaining safe control of the vehicle then an enforcement action may be taken.

Many municipalities in Kansas have similar traffic ordinances but this option is not available to state and county law enforcement.

The Johnson County Sheriff's Office urges your support of SB441 and we ask you to recommend it favorably for passage.

A handwritten signature in black ink, appearing to read "Greg Smith", written over a horizontal line.

Greg Smith  
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Special Deputy for Government Affairs  
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