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**Testimony to the House Transportation Committee  
In Support of HB2458  
January 30, 2020**

Chairman Proehl and Committee Members,

Our associations support HB2458. Failing to give full time/attention to driving was the top contributor to Kansas traffic crashes in 2018.<sup>1</sup> This was a contributing circumstance in at least 20%, or nearly 13,000, of the crashes.<sup>2</sup> From 2012 through 2016, 456 traffic fatalities in Kansas involved distracted driving.<sup>3</sup> And we know in many crashes distracted driving occurs but is not identified. According to a KDOT annual observational survey, 1 in 10 Kansas drivers are distracted behind the wheel, 4% of Kansas drivers are using their phones and nearly 2% are texting.<sup>4</sup>

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 has been determined to be enough to create a lapse in safe operation to many drivers.

This bill emulates a local city ordinance that has been upheld in the Kansas Appellate Courts. The proposed new statute is straight forward and will help officers to address the continuing problem of distracted driving. This statute would apply when a vehicle is operated in one of two circumstances.

1. A manner presenting a “heedless disregard for the right or safety of others.” Or
2. Inattentively in a manner endangering, or likely to endanger, any person or property.

This bill will offer a substantial improvement over the tools we have today. The distracted driving problem is getting so large we must take some action to address it. Please recommend this bill favorably. We believe it will enhance safety on our roadways.

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<sup>1</sup> Kansas Transportation Dec 2019 Quick Facts (<http://www.ksdot.org/Assets/wwwksdotorg/pdf/QuickFacts.pdf>)

<sup>2</sup> Same

<sup>3</sup> KDOT Drive to Zero 2016 Dashboard Report

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

<sup>4</sup> Same as 1.