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Written Testimony in Support of Senate Bill 459  
Senate Committee on Transportation

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The Kansas Highway Patrol (KHP) appreciates the opportunity to provide written testimony supporting Senate Bill 459. This bill requires drivers to exercise due care when operating a motor vehicle on any highway and prohibits the driver from engaging in any actions that distract the driver from the safe operation of the vehicle. The bill prohibits a person driving on a highway from holding a wireless telecommunications device with only a few exceptions. The driver of the vehicle may use a telecommunications device when the vehicle is stopped; to call law enforcement; prevent imminent injury to a person or property; or to relay information to a transit dispatcher.

Our troopers know the difficulties of enforcing the current texting while driving law (8-15,111) as written. The current law allows for exemptions that cannot be fully determined until initial contact with the driver has been made. Prior to initiating a traffic stop, we want to make certain a violation has in fact occurred. SB 459 provides that certainty. With the passage of Senate Bill 459, educating the public and enforcing safe driving habits becomes easier for law enforcement.

Currently, through the Kansas Highway Patrol's Public Resource Officer Program, we present countless programs throughout Kansas high schools promoting the importance of safe driving habits. These safe driving habits include not using your cell phone while driving. The Patrol firmly believes that our best opportunity to create good driving habits is through law enforcement education programs as well as proper traffic enforcement.

Kansas Department of Transportation statistics continually show that inattentive driving is the leading cause of automobile crashes. You do not need to be in law enforcement to witness poor driving habits and questionable judgment on Kansas roadways due to cell phone distractions. According to the National Conference of State Legislatures there are currently 20 states that prohibit all drivers from using handheld telecommunication devices. These states have taken a step forward to combat the tragedies related to distracted driving.

In closing, the Kansas Highway Patrol fully supports SB 459 because it will undoubtedly save lives. One life needlessly lost is one too many, especially when the opportunity exists to save it. This bill increases that opportunity and we encourage you to vote in support.

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