

SESSION OF 2019

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2088**

As Recommended by House Committee on  
Transportation

**Brief\***

HB 2088 would add to the Uniform Act Regulating Traffic a prohibition on operating or halting any vehicle in such a manner as to indicate a careless or heedless disregard for the right or the safety of others, or to operate or halt a vehicle inattentively so as to endanger, or be likely to endanger, any person or property.

Violation of the new provisions would be a traffic infraction. A fine of \$45 for this violation would be added to the uniform fine schedule.

**Background**

The bill was requested by a representative of the Kaw Valley Bicycle Club.

Proponent testimony on the bill was provided to the House Committee on Transportation by representatives of the Johnson County Sheriff's Office; Kaw Valley Bicycle Club; Kansas Association of Chiefs of Police, Kansas Sheriffs Association, and Kansas Peace Officers Association; Kansas Emergency Nurses Association; Safe Kids Kansas; and Topeka Community Cycle Project Board of Directors; a private citizen also provided testimony. Written-only proponent testimony was provided by a private citizen and by representatives of AAA Kansas; ABATE of Kansas, Inc.; BikeWalkKC; and Bike Walk Wichita, Inc. Proponents stated

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

the violation would describe acts clearly taking the driver's attention from driving and affecting operation of the vehicle, described crashes caused by inattentive driving, and stated the language used was based on a City of Hutchinson ordinance upheld by the Kansas Court of Appeals that is similar to language of other cities' ordinances.

Neutral written-only testimony was provided by a representative of the League of Kansas Municipalities (LKM). No opponent testimony was provided.

The fiscal note prepared by the Division of the Budget includes the following:

- The Office of Judicial Administration (OJA) indicates the bill would result in additional revenue from fines and from docket fees. Any additional cases would increase the workload of the courts. However, the OJA is unable to estimate the fiscal effect because the numbers of violations or cases are unknown;
- The Kansas Highway Patrol indicates the bill would have no fiscal effect on the agency;
- The LKM states any fiscal effect on local government revenues and expenditures would be negligible; and
- Any fiscal effect associated with the bill is not reflected in *The FY 2020 Governor's Budget Report*.