

Mr. Chair, Vice Chair, Ranking Member, and other committee members,

Thank you for taking the time to hear this bill. Thank you for allowing me to testify.

I am writing in support of HB 2609. As both a Pastor at a Church in Salina, KS, and a father of six children I believe that both religious liberty and reasonable driving laws are important.

My oldest child recently obtained her 15-year old driver's license. At the age of 14 Kansas students may only have a permit that allows them to drive with a parent. A wise precaution.

However, I contacted Representative Charlotte Esau when I discovered a minor oversight in Kansas driving laws: *while 15-year-olds are allowed to drive to work or school without supervision they are not allowed to drive to religious services until they reach the age of sixteen.*

I would like to make two points: (1) Freedom of Religion and (2) Practical Safety:

(1) I am certain you are all aware of the First Amendment in the United States Constitution. It states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

The Supreme Court has ruled that States must have compelling reasons to not allow the free exercise of religion in cases as far reaching as adoption rights¹, religious veils on licenses², and more.

There is no compelling reason to deny 15-year-olds the ability to drive to religious services, particularly because the State of Kansas already allows 15-year-old licensees to drive to work and school, unsupervised.

The State of Kansas, being the great State it is, takes religious freedom even further than the United States Bill of Rights. The ACLU of Kansas has stated, "Kansas has a very bold and powerful religious freedom provision in the state Bill of Rights providing more meaning to religious freedom than the Free Exercise Clause of the First Amendment."³

¹ https://www.supremecourt.gov/opinions/20pdf/19-123_g3bi.pdf

² <https://scholarship.law.edu/cgi/viewcontent.cgi?article=1252&context=lawreview>

³ <https://www.aclukansas.org/en/news/protections-religious-freedom-kansas>

The relevant portion of the Kansas Bill of Rights states: "The right to worship God according to the dictates of conscience shall never be infringed... nor shall any control of or interference with the rights of conscience be permitted..."⁴

In the great State of Kansas, we refuse to exert control or interfere with religious rights *at all*. Therefore, it seems reasonable to conclude that **if the State allows a teenager to drive alone to work and school we must allow them to drive alone to religious services**. Otherwise, we are infringing upon a right clearly established.

(2) It is almost certain that one reason we restrict 15-year-olds from driving anywhere is due to **safety concerns**. When this Committee reviews the data, you will see that attending religious services is extremely safe.

Church parking lots are much less traveled, safer, and less chaotic than high school parking lots before and after school. As a Pastor and a Father who has spent many hours in both high school and Church parking lots I can attest to this. But, the numbers make a better case. Churches are simply smaller than high schools.

Some examples of attendance:

City Name	Population	High School Name	High School Enrollment
Abilene	5,940 ⁵	Abilene High	482 students ⁶
Salina	46,079 ⁷	Salina High South	1,093 students ⁸
Olathe	142,906 ⁹	Olathe North	2,126 students ¹⁰
Average		Average KS High School	433 students¹¹

Let's compare that to Churches:

Seventy percent of Churches have 100 or fewer weekly worship attendees, with the average attendance being 65 people¹².

Typically, 10% of a congregation are in middle and high school¹³, or about **seven students**.

⁴ <https://kslib.info/826/Kansas-Bill-of-Rights>

⁵ <https://worldpopulationreview.com/us-cities/abilene-ks-population>

⁶ https://nces.ed.gov/ccd/schoolsearch/school_detail.asp?Search=1&DistrictID=2003180&ID=200318001063

⁷ <https://worldpopulationreview.com/us-cities/salina-ks-population>

⁸ https://nces.ed.gov/ccd/schoolsearch/school_detail.asp?ID=201137000522

⁹ <https://worldpopulationreview.com/us-cities/olathe-ks-population>

¹⁰ https://nces.ed.gov/ccd/schoolsearch/school_detail.asp?ID=201014000137

¹¹ <https://www.publicschoolreview.com/school-size-stats/kansas/high>

¹² <https://research.lifeway.com/2021/10/20/small-churches-continue-growing-but-in-number-not-size/>

¹³ <https://ministryarchitects.com/youth-ministry-norms/>

Church of the Resurrection in Leawood, KS is the largest Church in Kansas and has an attendance of over 13,000 people¹⁴. I spoke with the Student Ministries Leader Director and it would be typical, pre-COVID, for 100 to 150 youth to attend. Still far fewer than an average Kansas High School.

To summarize, the average Kansas high school has 433 students and a “normal” Church in Kansas has 5-10 high school students. Even the larger Churches have fewer teen drivers than most schools

Some people may say, “Yes, but aren’t schools much closer to people’s homes? So, isn’t it safer to drive nearby?”

First, we allow 15-year-olds to drive to work with no limit on distance.

Second, most churchgoers attend a place of worship 15 minutes or less from their home¹⁵. This is quite similar to school distance.

Summary

It is likely that allowing 15-year-old licensees to drive to Church is far safer than allowing them to drive to a school, which we already allow them to do, unsupervised. It is also likely that there is not a compelling reason, constitutionally, to restrict licensees from driving to religious services while allowing them to drive to work or school.

Thank you for your consideration,

Pastor Jeff Piepho

Salina, KS

¹⁴ https://en.wikipedia.org/wiki/United_Methodist_Church_of_the_Resurrection

¹⁵ <https://research.lifeway.com/2017/09/21/far-americans-drive-church/>