

January 25, 2021

The Honorable Mike Petersen, Chairperson  
Senate Committee on Transportation  
Statehouse, Room 345-S  
Topeka, Kansas 66612

Dear Senator Petersen:

**SUBJECT:** Fiscal Note for SB 25 by Senate Committee on Transportation

In accordance with KSA 75-3715a, the following fiscal note concerning SB 25 is respectfully submitted to your committee.

SB 25 would prohibit the use of a mobile telephone by any driver under the age of 18 who is operating a motor vehicle and any driver operating a motor vehicle in a school zone at a time when a reduced speed limit is enforced or in a road construction zone. The bill would establish a fine of \$60 for the unlawful use of a mobile telephone.

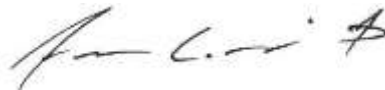
The bill's provisions would not apply to a law enforcement officer or emergency services personnel acting in the course and scope of employment or to a mobile phone being used as a hands-free device. In addition, the provisions of the bill would not apply to the use of a mobile phone for reporting current or ongoing illegal activity to law enforcement, preventing imminent injury to a person or property, summoning medical or other emergency assistance, or relaying information between a transit or for-hire operator and the operator's dispatcher, if the device is permanently affixed to the motor vehicle.

The Office of Judicial Administration states enactment of SB 25 could increase the number of cases filed in district court because it creates a new violation for unlawful use of a mobile telephone, which could result in more time spent by court employees and judges processing and deciding these cases. According to the Office, a fiscal effect cannot be estimated.

The Kansas Department of Transportation (KDOT) indicates enactment of the bill would create a new traffic infraction with a fine of \$60. The agency's Traffic Records Enhancement Fund currently receives 2.23 percent of all district court fines, penalties, and forfeitures, while the agency's Seat Belt Safety Fund receives 2.20 percent. KDOT estimates enactment of the bill could

increase the amount of fines collected because of the new traffic infraction, which would increase revenues to both funds; however, KDOT is unable to estimate a fiscal effect because the agency does not have enough information to estimate how many citations would be issued. Any fiscal effect associated with SB 25 is not reflected in *The FY 2022 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt".

Adam Proffitt  
Director of the Budget

cc: Ben Cleeves, Transportation  
Debbie Thomas, Judiciary  
Lynn Robinson, Department of Revenue