

Testimony on House Bill 2219
House Committee on Utilities and Telecommunications

Prepared by
Lieutenant Josh Kellerman
Kansas Highway Patrol

February 10th, 2015

Good morning Mr. Chairman and members of the committee. My name is Josh Kellerman and on behalf of Colonel Mark Bruce and members of the Kansas Highway Patrol, I appreciate the opportunity to appear before you today regarding House Bill 2219. This bill makes it illegal to operate a motor vehicle while using a wireless communication device unless a hands-free wireless communication device is being utilized.

Distracted driving is any activity that could divert a person's attention away from the primary task of driving. All distractions within the vehicle endanger the lives of our citizens while on Kansas roadways. A primary distraction for the motoring public continues to be the use of cell phones and smart phones. Currently, fourteen states prohibit all drivers from using a hand held wireless communication device while driving which is what this bill proposes.

This bill has been carefully crafted with input from various organizations to create a law that is both enforceable, yet still allows for drivers to stay connected with daily job requirements as well as life in general, while traveling. The current law has proven to be difficult for law enforcement officers to enforce and texting while driving continues to be a contributing factor in traffic crashes across the state.

Between the years of 2009-2014, unofficial data provided by the Kansas Department of Transportation indicates a total of 356,090 crashes within the state of Kansas. These numbers include fatality, injury, and property damage crashes. When law enforcement officers complete an accident investigation, there is a section in the report that allows for an officer's opinion of the contributing factors. Of that total number of crashes, only 2,903 of them were identified as a cell phone being a contributing factor. While that figure equates to less than one percent (1%) of reported contributing causes of all crashes, when you drive Kansas roadways, we could all make the argument, we see more than 1% distracted by the utilization of a cell phone or smart phone.

In 2012 and 2013, the Kansas Highway Patrol initiated 795,666 public contacts. Of those contacts, only 1400 drivers were issued either a warning or citation for texting and driving. This means approximately .17% of our contacts were related to texting and driving. These low numbers highlight the difficulty the Kansas Highway Patrol faces in enforcing the current texting law.

Another key component of the bill is the addition of distracted driving questions as part of the written exam to attain a driver's license. Currently, through the Kansas Highway Patrol's Public Resource Officer Program, we do countless programs throughout Kansas High Schools promoting the importance of safe driving habits. The Patrol firmly believes that our best opportunity to create good driving habits happens at an early age. Through law enforcement education programs as well as written test questions on distracted driving, we can reinforce the importance of safe motor vehicle operation to our youngest drivers.

Finally, I personally know the difficulties of enforcing the current texting while driving law (8-15,111) as written. When you observe a potential violation, it is difficult to distinguish whether a driver is texting or placing a phone call. Prior to initiating a traffic stop, we want to make absolutely certain a violation has occurred, however the current law allows for exemptions that cannot be fully determined until initial contact with the driver has been made. With the passage of this bill, enforcement of safe driving habits would become easier for law enforcement agencies, ultimately making Kansas roadways much safer.

In closing, the Kansas Highway Patrol fully supports HB 2219 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.

###