



**To: House Transportation Committee**  
**From: Shawn Steward – AAA Kansas**  
**February 6, 2019**  
**Re: Support of HB 2088**

Mr. Chairman and members of the committee,

Since its founding in 1902, AAA, the not-for-profit, fully tax-paying automobile club organization, has been the nation's leading advocate for motorists and a staunch defender of roadway safety and the safety of travelers. AAA has more than 346,000 members in Kansas. AAA Kansas would like to thank you for the opportunity to offer support for legislation that will improve safety for all who use Kansas roadways.

HB 2088 creates a negligent driving traffic violation and helps provide protections to victims of negligent driving.

Distracted, inattentive and negligent driving can put property at risk and has a negative impact on roadway safety and the personal safety of vehicle drivers and passengers, pedestrians and bicyclists.

Negligence, inattention and distraction while behind the wheel can take many forms and be caused by a variety of factors, including choosing not to follow established traffic laws, such as speeding, or failing to yield to or drive safely around pedestrians or cyclists. Negligent driving may also be caused by inattention to or distraction from the road due to mobile/cellular phones, in-car entertainment/navigation systems, eating messy foods or even talking to passengers.

Negligent, distracted and inattentive driving takes a major toll:

- From 2012-2017 in Kansas, "reckless/careless driving" was cited as a factor in 7,253 vehicle crashes, resulting in 4,460 incidents of property damage, and accounting for 4,021 people being injured and 201 deaths (*Kansas Dept. Transportation (KDOT)*)
- In 2016 alone, 3,450 people were killed and 391,000 were injured nationwide in motor vehicle crashes involving distracted drivers (*National Highway Traffic Safety Administration (NHTSA)*)
- Due to incomplete and likely underreported data, no one knows exactly how many crashes are caused by driver distraction. However, NHTSA estimates that driver distraction in all its forms is a factor in approximately 14 percent of crashes.
- In 2017 on Kansas roads, 2,200 vehicle crashes, 905 injuries and 11 deaths were directly attributed to "driver distractions" including cell phones, other electronic devices and others such as "Applying Makeup, Reading Newspaper, Children, Food, etc." (*KDOT*)

Comprehensive distracted driving laws are laws that penalize drivers for being distracted by any source, whether that be their cell phone, the infotainment systems, eating, etc. As currently enacted, the majority of these laws are secondarily enforced, meaning that drivers can only be pulled over if they commit another traffic violation, such as running a red light or speeding. Currently, nine states and D.C. have comprehensive distracted driving laws, with fines ranging from \$25 to \$750 dollars and a median fine of \$117 for a first offense (these fines do not include any additional fees that may be added to the fine). For comparison, the fine for negligent driving in HB 2088 is \$45.

We think HB 2088 will positively influence roadway safety with respect to these factors, and AAA Kansas respectfully urges your strong support of this bill.

Thank you for the opportunity to provide our written testimony in support of this matter.

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