

Testimony in Support of House Bill 2656 House Committee on Corrections and Juvenile Justice

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February 8, 2024

The Kansas Highway Patrol (KHP) appreciates the opportunity to provide written testimony in support of House Bill 2656, and we respectfully request the Committee consider our agency's concurrence.

House Bill 2656 would prohibit street stunts that cause other drivers or persons on or near the roadway to remain stopped or take evasive action to avoid being struck by a motor vehicle when in fear for the safety of themselves or others; that result in damage to another person's vehicle or property; or that result in injury to another person. The bill defines street stunts as operating a vehicle in a group of two or more vehicles while engaging in a course of conduct affecting and disrupting the normal flow of traffic. The course of conduct must include three or more acts or violations specifically found on a list in the bill over a period of time that show a continuity of purpose, including failing to comply with a traffic control device, driving left of center, speeding, and reckless driving, among others.

Stopping or making persons take evasive action due to a street stunt would be a Class A person misdemeanor for the first offense, and a severity level 10, person felony upon a second or subsequent conviction. If the street stunt results in damage to property or injures another person, the first offense would be a severity level 9, person felony, and a severity level 5, person felony upon a second or subsequent conviction. The bill also makes attempting to elude capture by law enforcement for engaging in a street stunt a severity level 7, person felony.

The KHP has observed street stunt behavior in metropolitan areas of the state for several years, particularly when the weather warms in the spring and cools in the fall. Large groups of sports cars or motorcycles will effectively take control of the many lanes of traffic on our highways to stage dangerous maneuvers. The normal flow of traffic is significantly impeded as motorists, unable to safely overtake the group or turn around, are held captive by these street stunt performers. Oftentimes, these stunts occur late at night or during the early hours of the morning, making a hazardous situation even more unsafe in low light conditions.

Due to the mobile nature of these events and the high likelihood of these types of offenders attempting to elude police, those who perform street stunts can be challenging to capture. Nevertheless, when sufficiently staffed or given ample warning time from other jurisdictions, our troopers do their best to end this behavior through rigorous enforcement of current traffic laws. Our air support unit also becomes a vital tool in the surveillance and pursuit of offenders. However, we believe current statute does not adequately address the collection of behaviors that comprise street stunts. Short of reckless driving, officers generally cite street stunt offenders with multiple citations for simple traffic infractions. House Bill 2656 would give law enforcement a tool to specifically target this type of crime in the hopes

of deterring street stunts from occurring in the future. It would also support the KHP's mission to aid local law enforcement agencies who request additional resources when stunts move to city streets.

While we support the bill, we would also ask the Committee to consider a situation not explicitly covered by its contents. It is common for street stunts on highways, and particularly Interstate highways, to either not completely bring traffic to a halt or to make others take evasive action but rather slow down traffic to a dangerous degree. Considering that many segments of Interstate highways currently have a minimum posted speed of 40 miles per hour, perhaps it would be beneficial to also include a provision in the bill that would define street stunts as not only those activities which stop traffic or make persons take evasive action, but those which slow traffic below the minimum posted speed limit. Drivers are accustomed to traffic flowing at a quick and steady pace on our Interstate highways. Impeding traffic to the extent that speeds decrease below the posted minimum creates a high risk of serious collisions.

The KHP supports House Bill 2656 and its intention to deter and decrease the incidence of street stunts. We sincerely thank the members of this Committee for their consideration of our testimony, and we urge your support of this bill.

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