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**Testimony to Senate Transportation Committee
In Support of SB459
March 11, 2020**

Sen. Petersen and Committee Members,

Our associations support SB459. Failing to give full time/attention to driving was the top contributor to Kansas traffic crashes in 2018.¹ This was a contributing circumstance in at least 20% of all crashes.² And we know in many crashes distracted driving occurs but is not identified. We also know that even when cell phone use is the distraction, either with phone calls or texting, it is not always identified in crashes. Investigations to confirm cell phone use, beyond the admission by the driver, are generally only completed in cases of death or life-threatening injury. Even at that level of under-reporting Kansas data reflects 4.6% of injuries (of all levels) and 5.7% of all fatalities are attributable to driver cell phone distractions.

Kansas Statewide Distracted Driving Crashes 2015-2018 Summary

	CRASHES				PEOPLE	
	Total	Fatal	Injury	PDO*	Deaths	Injuries
All distractions	71,239	352	17,265	53,519	389	24,238

*PDO—Property Damage Only

Source: KDOT

In a 2015 National Survey, 15.3% of the respondents indicated they answer phone calls they receive while driving “always” or “almost always.” Another 26.8% said they sometimes answer while driving.³ And 56.2% of those answering phone calls while driving said they continue to drive throughout the conversation.

That same survey found 8.2% of the respondents say they “always” or “almost always” make phone calls while driving, with 25.4% saying they “sometimes” make calls while driving. 32.9% of those making calls while driving scroll through saved numbers to dial and 28.8% said they manually dial when making calls.

The survey also found 29.2% of those using phones while driving hold the phone in their hand.

The survey also collected passenger perception of safety when the driver is using a phone while driving. 41.9% of the respondents said the driver’s use of a cell phone for a phone call made them feel very unsafe and another 22.8% said it made them feel somewhat unsafe. But when they were asked about when the driver used the phone handsfree to talk on the cell phone that dropped to 11.1% and 18.9% respectively. Collectively, the feeling of being unsafe dropped by over half when the phone was used handsfree.

According to Governor’s Highway Safety Administration, as of February 2020 the following states currently have handsfree laws: Arizona, California, Connecticut, Delaware, Georgia, Hawaii, Illinois, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New York, Oregon, Rhode Island, Tennessee, Vermont, Washington, West Virginia, plus D.C.

¹ Kansas Transportation Dec 2019 Quick Facts (<http://www.ksdot.org/Assets/wwwksdotorg/pdf/QuickFacts.pdf>)

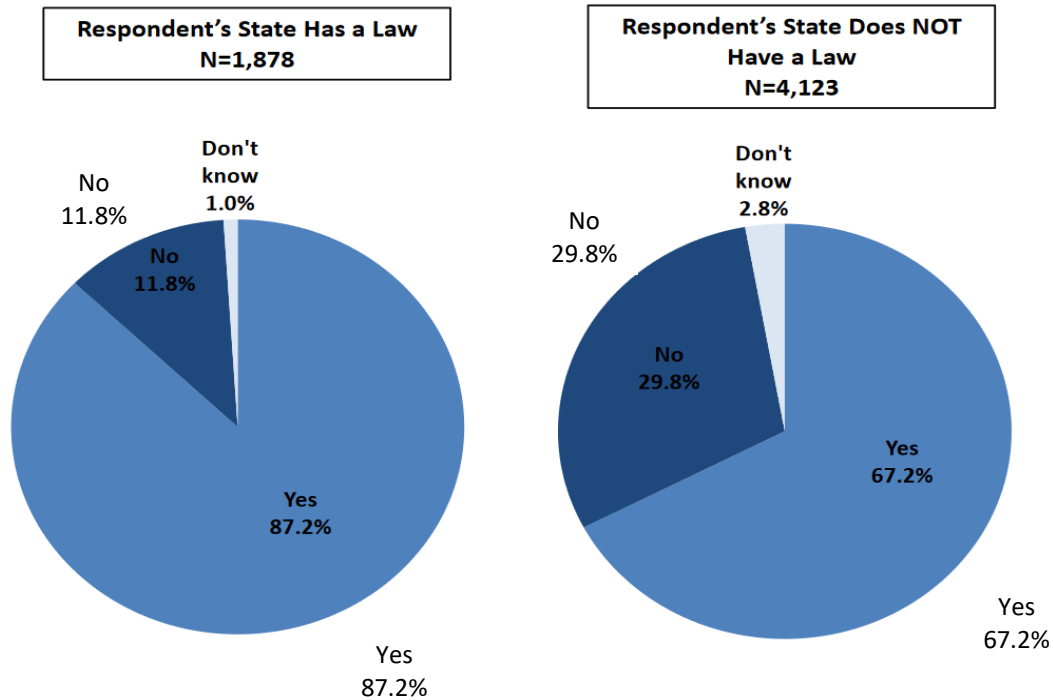
² Same

³ Schroeder, P., Wilbur, M., & Peña, R. (2018, March). National survey on distracted driving attitudes and behaviors - 2015 (Report No. DOT HS 812 461). Washington, DC: National Highway Traffic Safety Administration.
https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/13123-2015_natl_survey_distracted_driving_031418_v5_tag.pdf

In states with a law banning handheld use, 87.2% support the law. In states without such law, 67.2% said they would support such law.

Figure 6-5

Do You Support a Law Banning Talking on a Handheld Cell Phone While Driving?



Q19. Do you support a State law banning talking on a handheld cell phone while driving?

Base: All respondents

Unweighted N=See Figure

We do request adding an exemption to the bill for first responders. This can be done by **adding a new subsection in section 1 prior to (d) on page 1, line 25, stating "The provisions of subsection (c) shall not apply to a law enforcement officer or emergency service personnel acting within the course and scope of the law enforcement officer's or emergency service personnel's employment."** That is the same provision in the current texting statute, KSA 8-15,111.

We encourage you to recommend SB459 favorably to pass.

Ed Klumpp
Legislative Liaison