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**Testimony to Senate Transportation Committee
In Support of HB2499**

March 7, 2024

Chairman Petersen and Committee Members,

Our associations support HB2499. The bill expands the limited restriction on utilizing a cell phone while operating a motor vehicle to include three critical areas of public safety concerns—drivers under age 18, school zones during reduced speed times, and construction zones while workers are present.

Failing to give full time/attention to driving was the top contributor to Kansas traffic crashes in 2021. This was a contributing circumstance in at least 18% of all crashes.¹ We 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 due to the extensive investigative work and time involved.

In 2019, 1405 crashes occurred in work zones, about one every 6.2 hours, resulting in 7 deaths and 437 injuries. In 2020, 1281 crashes occurred in work zones, about one every 6.8 hours, resulting in 2 deaths and 412 injuries. In 2021, 1237 crashes occurred in work zones, about one every 7.1 hours, resulting in 8 deaths and 385 injuries.²

School zone accident data was not readily available.

Kansas Statewide Distracted Driving Crashes 2016-2021 Summary

	CRASHES				PEOPLE	
	Total	Fatal	Injury	PDO*	Deaths	Injuries
Mobil Phone	3713	47	1194	458	47	1646
Other Electronic Devices	1103	3	359	741	3	471
Other Distractions	8096	32	2295	5769	33	3339
All distractions	12,912	82	3848	6968	83	5446

*PDO—Property Damage Only

Source: KDOT³

Note mobile phone distractions account for 57% of all distracted driving fatalities.

In a 2015 National Survey,⁴ 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. 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.

¹ 2021 Kansas Traffic Crash Facts Book, pdf page 2.

https://www.ksdot.gov/Assets/wwwksdotorg/bureaus/burTransPlan/prodinfo/2021_Facts_Book/2021FactsBook.pdf

² Same, document page 45, pdf page 49

³ Same, document page 17 (pdf page 21)

⁴ 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.

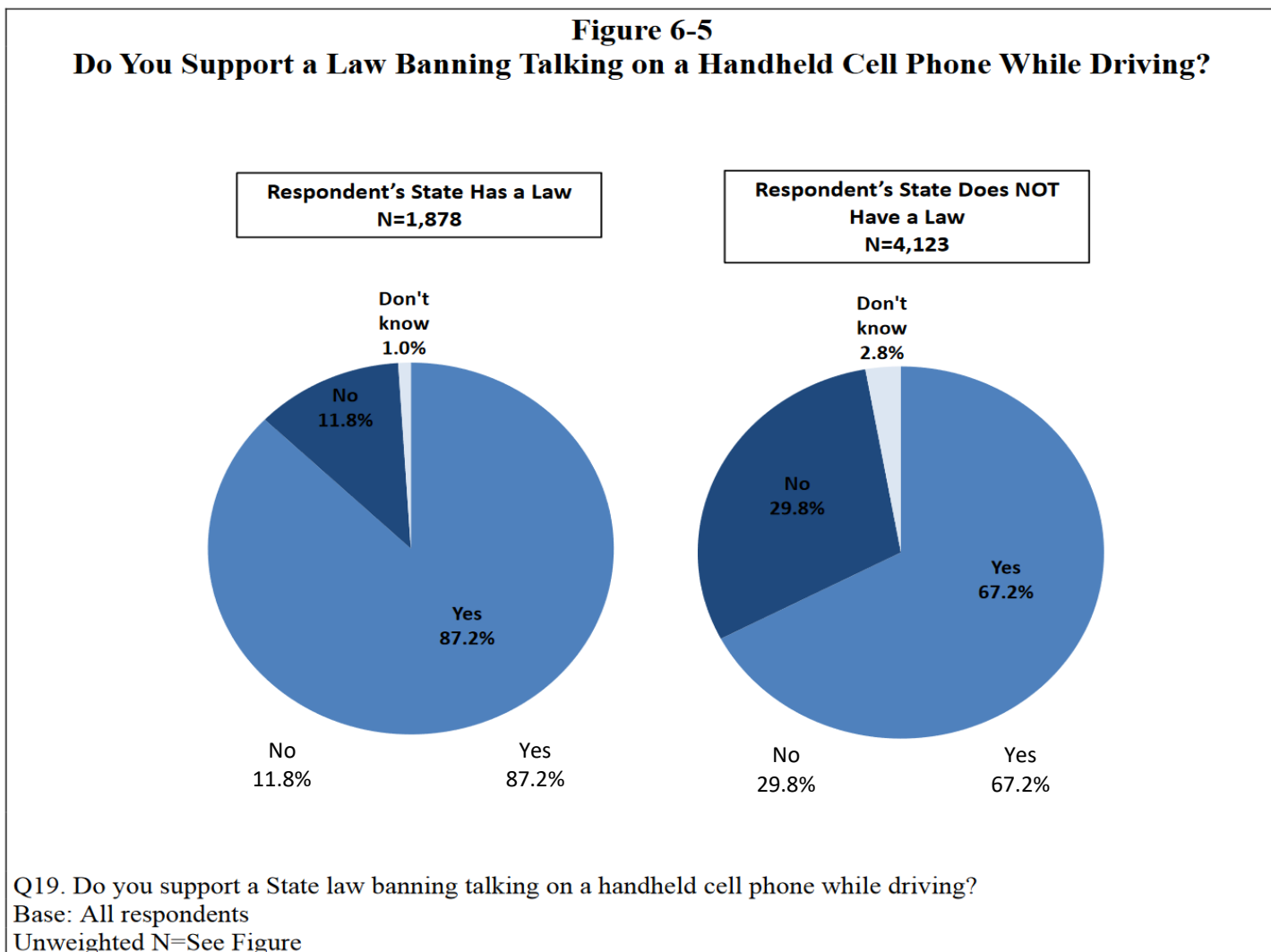
https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/13123-2015_natl_survey_distracted_driving_031418_v5_tag.pdf

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 the Governors Highway Safety Administration, as of July 2023, 34 states prohibit all drivers from using handheld cellphones while driving. (Up from 22 in January 2021.) All but two are primary enforcement laws. They also report 49 states, ban text messaging for all drivers. All but six are primary enforcement laws.⁵⁶



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.

We encourage you to recommend HB2499 favorably to pass.

Ed Klumpp
Legislative Liaison

⁵ Governors Highway Safety Administration: <https://www.ghsa.org/state-laws/issues/distracted%20driving>

⁶ Primary enforcement laws allow enforcement action without another violation occurring.