

## **Neutral Testimony for HB 2279**

### **Committee on Appropriations**

Gary Mason, Deputy Secretary for Environment  
Kansas Department of Health and Environment

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Mr. Chairman and members of the committee, I am pleased to offer testimony regarding HB 2279 as it relates to Kansas' Breath Alcohol Program within the Kansas Department of Health and Environment (KDHE). I am Gary Mason, Kansas Department of Health and Environment (KDHE) Deputy Secretary for Environment.

KDHE ensures the quality of the Breath Alcohol Program by providing state of the art technology and maintaining this technology through a certification and instrument replacement program. The technology associated with the Breath Alcohol Program should be updated every 5-6 years based on life expectancy of the instrumentation. The portion of the drivers' license reinstatement fees in K.S.A. 2016 Supp. 8-241 that is distributed to the driving under the influence (DUI) fund is used for replacement instruments and operating costs (excluding salaries) of the Breath Alcohol Program.

Based on the current rate of reinstatement fees as specified in K.S.A. 2016 Supp. 8-241, and projected costs for replacement instruments and operating costs (excluding salaries), it is estimated that the DUI fund would be able to replace the current instruments when they are about 7 years old.

HB 2279, as filed, would likely delay our replacement schedule even further, which could potentially impact the ability of Kansas to pursue DUI cases.

However, KDHE does support the proposed Amendment #1 which keeps K.S.A. 2016 Supp. 8-241 in place and retains KDHE's current breath alcohol instrument replacement schedule.

Thank you for the opportunity to testify and we are available to answer any questions you might have.