

March 15, 2017

To: Kansas House Transportation Committee
Re: Kansas SB 144 and Amateur Radio

Dear Committee Members,

I have reviewed the text of Senate Bill 144, which intends to prohibit the use of wireless communication devices in school and construction zones, except by law enforcement, transit and for-hire operators, and those reporting emergencies or summoning help. I am concerned that mobile amateur radio operation will be negatively impacted by the language in this bill, as amateur radio is not specifically exempted in the bill. There are several reasons why amateur radio deserves the same protection afforded to the exempted groups above.

First, amateur radio operators are generally highly trained individuals that operate within a service requiring an FCC license examination. These people are very often trained to participate with local, state, and federal agencies in emergency management, and practice in this capacity frequently. This training includes a wide variety of topics ranging from incident command structure, operating practices, and safety. It's well beyond the training afforded to mobile radio users such as taxicab and bus drivers. Because of this training and experience, amateur radio operators are well prepared in situational awareness and safety - - key components for safe operation of radio equipment in a mobile environment.

Second, mobile amateur radio installations are not equivalent to cellular telephone or walkie-talkie units. Most amateur mobile installations are permanently mounted in a vehicle as depicted in Figure 1. These installations operate in same manner as the equipment in police and other mobile services. There is no "wireless device" that the operator must hold, other than the microphone for communicating.

Finally, you may note that many of the amateur mobile radios look very similar to the commercial units used in other services, such the two middle units in Figure 1. These mobile units are designed to operate effectively and safely in a moving vehicle, unlike cellular telephones. In fact, the two middle units in the figure can be operated entirely by tactile feel without the need for the operator to take his or her eyes off the road.



Figure 1: An Amateur Radio Mobile Installation. This is a sophisticated setup that can routinely communicate both locally and nationally, and is ideal for emergency deployment.

I very much respect the intent of Senate Bill 144. We need to continue to work to make our roads safer; construction and school zones are definitely areas where drivers need to closely focus on the complex task of operating a motor vehicle.

Statistics from the National Highway Traffic Safety Administration tell us that when we consider the total number of miles driven by Americans, it's a lot safer to be on the roads today than at any time in the last few decades. Appendix A contains data from NHTSA that supports this conclusion.

Thank you for taking the time to consider my input. I would be happy to discuss any of this in further detail if needed.

Respectfully,

Dr. Thomas Wheeler

Appendix A: NHTSA Statistics for Total and Pedestrian Fatality Rates

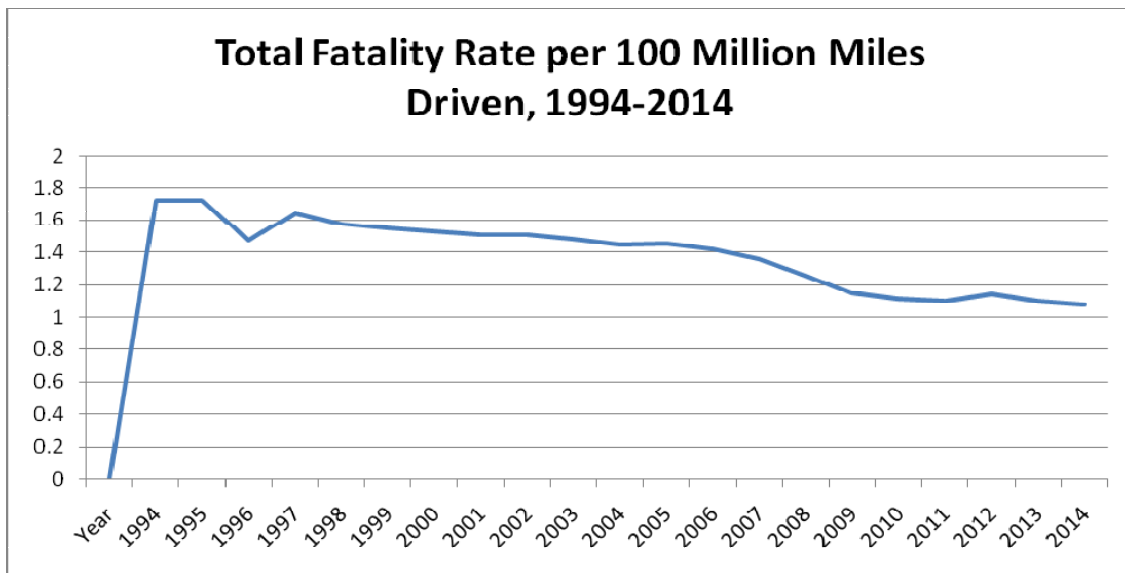


Figure A-1. Total Fatality Rate Expressed in Fatalities per 100 Million Vehicle Miles Driven. This has steadily declined from 1.727 (1994) to 1.080 (2014), the last datum available in this particular NHTSA data excerpt.

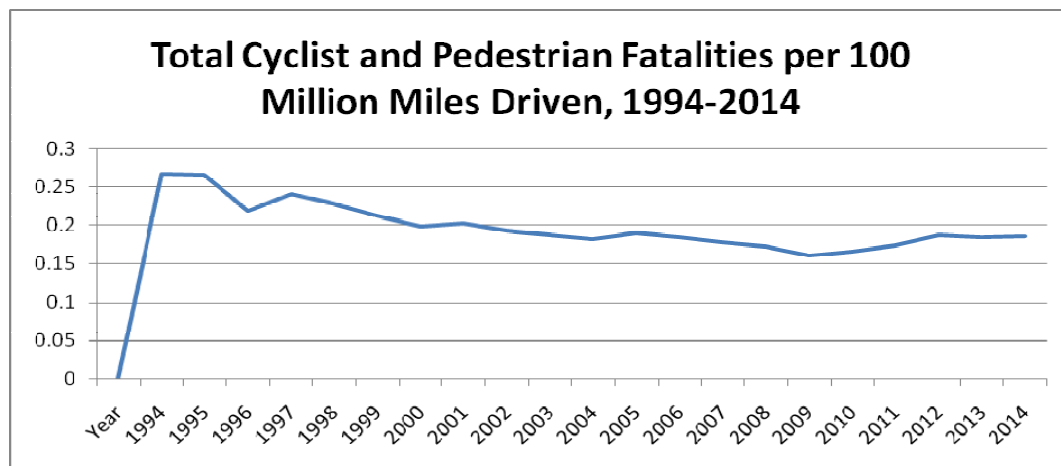


Figure A-2. Total Cyclist and Pedestrian Fatalities per 100 Million Miles Driven, 1994-2014.

Notes about these extracts:

1. The data have not been partitioned to demonstrate fatality rates where "distracted driving" was cited as a contributing factor. This was not performed due to time limitations in delivering this response.
2. The NHTSA data set does not capture mobile radio operation (either by public safety or commercial vehicle operation) as a contributing factor in vehicle fatalities, as this data is not collected as a part of the uniform accident reporting protocol.
3. NHTSA data sets do not appear to have a discrete data element for school zones.