



Testimony in support of Senate Bill 274
Senate Transportation Committee
30 January 2018

Mr. Chairman and Members of the Committee,

My name is Alan Apel, I am speaking on behalf of the Kaw Valley Bicycle Club located in Topeka in support of Senate Bill 274. We are here today to talk about the need for Negligence Driving Law that is State wide. The need for this State wide law in part came about when the KVBC board members were comparing how many times each had been forced off the road by inattentive drivers since the 3-foot law went into effect in 2011. We do appreciate Senators Petersen and Schmidt in helping get that legislation passed.

Bicyclists ride for numerous reasons in Kansas—for health, recreation, travel and livable communities. For these reasons, bicycling in the state is increasing. As a result we need to educate the public how best to share the road and reduce the chance for serious injury.

Society has gone from—should we listen to AM or FM radio to Amazon Alexa, Apple Siri, CarPlay, and Android Auto that allows us to make dinner reservations, have flowers delivered to the table, get the fastest route to the restaurant, and play our favorite song all while driving down the highway.

When we started looking at some of the ordinances in Kansas communities we found there was a lack of uniformity between municipalities. We also had a problem with the Standard Traffic Ordinance:

Sec. 104 - Inattentive Driving - Every driver whose vehicle, because of his or her driving error or negligent inattention, **collides** with another vehicle, a person or fixed object, shall be guilty of inattentive driving and in violation of this section.

In other words if a vehicle **collides** with a bicyclist there is a violation, but if a bicyclist is forced off the road by an inattentive driver and the bicyclist is injured there is no violation.

We currently have laws for texting while driving and the 3-foot law when passing a bicyclist on the road. SB274 is essentially going beyond the current protections for all road users and cyclists and saying any action that keeps a driver from focusing on their primary task of driving is prohibited. It attempts to correct the behavior, without necessitating a collision in order for a penalty to be assessed for such behavior. It is based on the Topeka City ordinance on Negligent Driving.

We have cyclists across KS, the motorcycle group ABATE, and County Sheriff's supporting this bill. We ask for your support in adoption of Senate Bill 274.

Today we have a number of people here to speak on their support for SB274:

Andy Fry, Topeka Community Cycling Project: Data and statistical analysis
Paul Engler: Kaw Valley Bicycle Club member: Personal injury experience
Richard Alexander: Speaking on own behalf: Personal injury experience
Joe Saia: Speaking on own behalf: Death of Glenda Taylor
Steve Christenberry: ABATE Motorcyclists' viewpoints
Ed Klumpp, Kansas Peace Officers Association
Greg Smith, Johnson County Sheriff's Office
Michael Kelley, BikeWalkKC, viewpoints
Alan Kailer, Bike Walk Wichita, viewpoints

Respectfully submitted,

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