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MEMORANDUM

To: Members of the Senate Committee on Transportation

From: Adam Siebers, Assistant Revisor

Date: January 27, 2021

Subject: Senate Bill No. 25

Summary

As background, K.S.A. 8-15,111 prohibits operators of a motor vehicle from manually typing, sending or reading on a wireless communication device.

Senate Bill No. 25 would prohibit the use of mobile telephone while operating in a school zone or a road construction zone. Also, the bill would prohibit individuals 18 years of age and younger from using a mobile telephone while operating a motor vehicle at any time. The bill provides exceptions allowing for the use of devices by: (1) law enforcement acting within the scope of employment; and (2) individuals who use hands free devices.

Additionally, individuals would be allowed to use the mobile telephone in the following situations: (1) report current or ongoing illegal activity to law enforcement; (2) prevent imminent injury to a person or property; (3) summon medical or other emergency assistance; or (4) relay information between a transit or for-hire operator and the operator's dispatcher, if the device is permanently affixed to the motor vehicle.

Lastly, holding a mobile telephone (when use is restricted under the bill) would constitute prima facie evidence of a violation.

The fine for an individual found guilty of violating this section would be \$60