

SESSION OF 2026

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 324**

As Recommended by Senate Committee on  
Transportation

**Brief\***

SB 324 would prohibit the use of a mobile telephone while operating a motor vehicle in a school zone when a reduced speed is enforced, or a road construction zone while workers are present. Holding the mobile telephone would constitute *prima facie* evidence of a violation. The bill would add its provisions to the Uniform Act Regulating Traffic on Highways.

For the purposes of the bill, a “mobile telephone” would not include a:

- Commercial two-way radio communication device;
- Subscription-based emergency communication device;
- Prescribed medical device;
- Amateur or ham radio device; or
- Remote diagnostics system.

The bill would provide exceptions for:

- Law enforcement or emergency personnel acting within the scope of their employment;

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

- A person operating a motor vehicle that is stopped in a safe and lawful location; and
- A mobile phone that is being used with a hands-free device.

The bill would define a “hands-free device” as one having speakerphone capability or an attachment that allows use of the mobile telephone without the use of either of the operator’s hands.

The bill states its provisions would not prohibit an individual operating a motor vehicle in a school or work zone from using a mobile telephone to:

- Report ongoing illegal activity to law enforcement;
- Prevent imminent injury to a person or property;
- Summon medical or other emergency assistance; or
- Relay information between a transit or for-hire operator and the operator’s dispatcher, if the device is permanently affixed to the vehicle.

The bill would set the fine for such violation at \$60 and would require law enforcement officers to issue warning citations for violations of its provisions until July 1, 2027.

## **Background**

The bill was introduced by the Senate Committee on Transportation at the request of a representative of AAA Kansas.

### ***Senate Committee on Transportation***

In the Senate Committee hearing, representatives of AAA Kansas; Kansas Department of Transportation (KDOT); Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association; Kansas Contractors Association; General Motors; and Kansas Highway Patrol (KHP) and an amateur radio operator provided **proponent** testimony. Proponents, noting statistics regarding crashes related to distracted driving, generally stated the bill would be a reasonable and enforceable way of making school and construction zones safer.

Written-only proponent testimony was provided by a representative of Safe Kids Kansas and by two private citizens.

No other testimony was provided.

### **Fiscal Information**

According to the fiscal note prepared by the Division of Budget on the bill, KDOT indicates enactment of the bill would mean a negligible increase in revenue to the agency's Traffic Records Enhancement Fund.

The Office of Judicial Administration indicates that it cannot give an accurate estimate of the fiscal effect until the courts have had an opportunity to operate under the provisions of the bill.

KHP and Kansas Department of Revenue indicate enactment of the bill will have no fiscal effect on either agency.

The Kansas Association of Counties and the League of Kansas Municipalities are unable to provide an estimate on the fiscal effect of the enactment of the bill.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2027 Governor's Budget Report*.

Transportation; distracted driving; mobile phone; school zone; construction zone