

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Transportation** recommends **SB 142** be amended on page 1, following line 23, by inserting:

"New Sec. 2. (a) No person under the age of 18 years of age shall use a mobile telephone while operating a motor vehicle.

(b) No person shall use a mobile telephone while operating a motor vehicle in a school zone at a time when a reduced speed limit is enforced as established by K.S.A. 8-1560(a) or 8-1560e, and amendments thereto, or in a road construction zone, as that term is defined in K.S.A. 8-1458a, and amendments thereto, while workers are present.

(c) The provisions of subsections (a) and (b) shall not apply to:

(1) A law enforcement officer or emergency service personnel acting within the course and scope of the law enforcement officer's or emergency service personnel's employment;

(2) a person operating a motor vehicle that is halted at a location where the vehicle can safely and lawfully remain stationary; or

(3) a mobile telephone that is being used with a hands-free device.

(d) The provisions of subsections (a) or (b) shall not prohibit a person from using a mobile telephone while operating a motor vehicle that would otherwise violate subsections (a) or (b) to:

(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.

(e) Holding a mobile telephone shall constitute prima facie evidence of a violation of:

(1) Subsection (a) for persons under the age of 18 years of age; or

(2) subsection (b) for persons operating a motor vehicle in a school zone or a road construction zone.

(f) As used in this section:

(1) "Hands-free device" means speakerphone capability or a telephone attachment or other piece of equipment, regardless of whether or not the hands-free device is permanently installed in the motor vehicle, that allows use of the mobile telephone without use of either of the operator's hands.

(2) "Mobile telephone" does not include a commercial two-way radio communication device or its functional equivalent, subscription-based emergency communication device, prescribed medical device, amateur or ham radio device or remote diagnostics system.

(g) A law enforcement officer shall issue a warning citation to anyone violating the provisions of subsections (a) or (b). The provisions of this subsection shall expire and have no effect on and after July 1, 2025.

(h) This section shall be a part of and supplemental to the uniform act regulating traffic on highways.";

On page 7, following line 4, by inserting:

"Unlawful use of mobile telephone section 2 \$60";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "prohibiting the use of a mobile telephone while operating a vehicle in a school zone or a road construction zone or by

individuals under 18 years of age;" and the bill be passed as amended.

_____Chairperson