

HB 2126 -- FAIR FARE PASSENGER SAFETY ACT

SPONSOR: Higdon

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Public Safety and Emergency Preparedness by a vote of 10 to 0.

This bill establishes the Fair Fare Passenger Safety Act of 2016 that prohibits any person operating a motor vehicle on the highways or other public roadways of this state for compensation for the transportation of one or more passengers from using a hand-held electronic wireless communications device to send, read, or write a text message or electronic message. The person is also prohibited from making or taking part in a telephone call by means of a hand-held electronic wireless communication device.

The provisions of the bill must not apply to a person operating:

- (1) An authorized emergency vehicle; or
- (2) A moving motor vehicle while using a hand-held device to report illegal activity, summon medical or other emergency help, prevent injury to a person or property, or relay information between a transit or for-hire operator and that operator's dispatcher when the device is permanently affixed to the vehicle.

A violation of these provisions must be deemed an infraction and must be deemed a moving violation that is assessed points.

Any city or county must have the authority to adopt ordinances or regulations that are equivalent to, but not more restrictive than, the provisions of the bill.

This bill is similar to HB 702 (2015).

PROPOSERS: Supporters say that it is only fair if a paid professional has passengers in his or her vehicle that he or she get the passengers to their destination safely, without any distractions. Some of our most vulnerable citizens put their lives in the hands of these drivers, and they rely on drivers for hire to get through their lives with ease. Pedestrians and bicycle riders are also vulnerable, since they rely on drivers to see them. These drivers are able to use hands-free technology, and over 46 states have banned texting by all drivers. Missouri is one of the only state that has not yet banned it. In this situation, enforcement of the ban should not be difficult, since there will always be a witness to the offense. That is because this only applies to drivers for hire, and there is no violation if there is no passenger in the car.

Testifying for the bill were Representative Higdon; Phyllis Larimore, Children's Mercy-Kansas City; Missouri Trucking Association; State Farm Insurance Companies; Abate For Missouri; Missouri Confederation of Clubs and Independents; Missouri Nurses Association; Missouri State Medical Association; Missouri Academy Of Family Physicians; Rachel Ruhlen, Missouri Bike Federation; Bill Kempker, Freedom Road Riders; Missouri Fraternal Order Of Police; Missouri Bicycle And Pedestrian Federation; AAA Auto Club Of Missouri; Bill Whitfield, MoDOT; Maureen Cunningham, Brain Injury Association Of Missouri; and Jamie Palermo.

OPPONENTS: There was no opposition voiced to the committee.