

## MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairperson Richard Proehl at 1:30 pm on Thursday, February 05, 2015, 582-N of the Capitol.

All members were present except:

Representative Sharon Schwartz – Excused

Representative Kasha Kelley – Excused

Representative Mario Goico – Excused

Committee staff present:

Jill Shelley, Legislative Research Department

Craig McCullah, Legislative Research Department

Adam Siebers, Office of Revisor of Statutes

Scott Wells, Office of Revisor of Statutes

Betty Boaz, Kansas Legislative Committee Assistant

Conferees appearing before the Committee:

Representative Susie Swanson

Whitney Damron, representing City of Topeka

David Hamby, Member, Lawrence-Douglas Co. Bicycle Advisory Comm., Lawrence, KS

Gina Poertner, President, KanBike Walk, IKnc., Kansas City, KS

Karen Hiller, Councilwoman, City of Topeka

Andy Fry, Riding instructor, Topeka Community Cycle Project

Brian Shields, City Traffic Engineer, Overland Park, KS

Secretary Mike King, KDOT

Steve Hewitt, CEO, KS Turnpike Authority,

Tom Whitaker, Executive Director, KS Motor Carriers Ass'n.

Deann Williams, Manager, Vehicle Services

Harlan Max Smith, Vietnam Veteran, Clay Center, KS

LTC Wm. H Zacharias, (Ret) Commander, American Legion Post 101, Clay Center, KS

Others in attendance:

[See Attached List](#)

### **Bill introductions**

There were no bill introductions. The Chairman reminded the members that the 9th was the last day for bill introductions.

The Chairman opened the hearing on **HB2068**.

### **Hearing on: HB2068 — Removing requirement that bicycles use path.**

Staff explained that **HB2068** would remove the requirement for individuals riding bicycles to utilize a path adjacent to a roadway when provided.

Chairman Proehl recognized Whitney Damron as the first proponent. ([Attachment 1](#)) He said the

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requirement requesting bicyclists to utilize a "usable path" creates confusion for motor vehicle operators, pedestrians and bicyclists. He gave the example of a major renovation project recently completed in Topeka with ten-foot sidewalks along either side. He said to some these look to be bike paths however they were dedicated to pedestrian travel and would present a safety hazard if bicycles were to utilize these sidewalks.

The next proponent was David Hamby. ([Attachment 2](#)) Mr. Hamby cited several key points which included confusion in the meaning of a mandatory bike path, laws that mandate the use of a particular facility undermines the ability of the bicyclists to choose the safest, most practical route, riding in the street has been proven by many studies to be the safety place to ride and the change to Section (d) has no financial impact to the state but has a positive financial impact to local governments and citizens.

The next proponent was Gina Poertner. ([Attachment 3](#)) According to Ms. Poertner, under the current multi-use path regulations a bicyclist is provided the same rights and responsibilities as a motor vehicle for riding on the roadway. She states in the same set of regulations it is stated that cyclists are not to be on a road but on a paralleling useable path of which there are very few in the state and that this is conflicting and prejudicial towards cyclists.

Karen Hiller was recognized as the next proponent. ([Attachment 4](#)) She said it was important to them to get this correction taken care of because they want to install \$1.6 million in marked bike routes this year and know that they need to educate through events, public service announcements, local media, work in schools and with general public.

Andy Fry was the next proponent. ([Attachment 5](#)) Mr. Fry said the law as it stands today is obsolete and outdated, in conflict with Kansas statutes as well as federal and state guidelines, and unsafe for those who bicycle in Kansas.

Brian Shields was the last proponent to appear. ([Attachment 6](#)) He said based on their work over the last few years developing a comprehensive bike plan for their city and listening to the concerns of bicyclists of all ages and abilities as well as other users of their street network, they believe removing the requirement for bicyclists to utilize adjacent paths will lead to a safer and more bicycle friendly environment in Kansas.

There were no other proponents and no opponents so the Chairman closed the hearing on **HB2068.**

Before the Chairman opened the hearing on **HB2085** he drew the Committee's attention to an informational sheet provided by Whitney Damron on behalf of Polaris Industries concerning questions raised from a previous hearing. ([Attachment 7](#))

The Chairman opened the hearing on **HB2085.**

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### **Hearing on: HB2085 — Contracts between the secretary of transportation and the Kansas Turnpike Authority; annual reports from the authority; director of operations.**

Staff explained under current law, the Secretary of Transportation is also the Director of Operations for the Kansas Turnpike Authority and that this bill would change the name of the position to Director of the Kansas Turnpike Authority. The bill would require the KTA to report for the preceding fiscal year instead of reporting on the previous calendar year.

The Chairman recognized Secretary Mike King. ([Attachment 8](#)) According to Secretary King this bill does three main things: 1) it allows the work of the partnership to continue, 2) it allows the KTA to move from a calendar financial year to a fiscal financial year, and 3) it makes a technical change in title since the Chief Executive Officer is handling the operations a more appropriate title would be general Director of the KTA.

The next proponent was Steve Hewitt. ([Attachment 9](#)) Mr. Hewitt said passage of this bill allows the continuation of a successful formalized partnership between Kansas' two transportation entities.

Secretary King and Mr. Hewitt stood for questions. There were no other proponents and no opponents. The Chairman recognized Tom Whitaker as Neutral on this bill.

Mr. Whitaker provided some background information. ([Attachment 10](#)) He discussed their fears and the language added on the floor of the Senate during the 2013 Legislative Session, as well as some of the positives that have come from the KDOT/KTA relationship. He said his organization would not oppose this bill.

When all questions were answered, the Chairman closed the hearing on **HB2085** and opened the hearing on **HB2094**.

### **Hearing on: HB2094 — Apportioned registration for fleet vehicles; mileage applications, fees and calculations.**

Staff explained that **HB2094** would remove language concerning the calculations of mileage and fees for fleets and that this bill would require that mileage applications and fees be charged according to the International Registration Plan (IRP) and that all mileage calculations comply with the rules of the IRP.

Chairman Proehl recognized Deann Williams. ([Attachment 11](#)) According to Ms. Williams the International Registration Plan is an international agreement that all U.S. and Canadian jurisdictions follow regarding the apportionment of fees collected for interstate fleets. The plan recently changed from estimated mileage to a full reciprocity plan. She said the full reciprocity allows Kansas to be compensated for actual miles driven on state highways. She stood for questions.

There being no other proponents and no opponents, the Chairman closed the hearing on **HB2094** and

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opened the hearing on **HB2103**.

**Hearing on: HB2103 — Designating bridge no. 14 (030) in Clay county as the Clay county Vietnam veterans bridge.**

Chairman Proehl recognized Representative Susie Swanson. [\(Attachment 12\)](#) Representative Swanson said there were a number of retired military in Clay County and many of those retirees are Vietnam Veterans who will appreciate being honored by the signs stating "Clay County Vietnam Veterans Bridge."

The next proponent was Harlan Max Smith who is a combat wounded Vietnam Veteran. [\(Attachment 13\)](#) He spoke in support of this bill.

The last proponent was LTC William H. Zacharias, (Ret.) who also spoke in support of this bill. [\(Attachment 14\)](#)

There were no other proponents and no opponents so the Chairman closed the hearing on **HB2103**.

**Final action on bills previously heard**

There was no Final Action on bills previously heard due to lack of time.

**Update on:**

The Chairman introduced Matthew Allen who provided information regarding passenger rail service - specifically an update on the Southwest Chief and TIGER Funding. [\(Attachment 15\)](#)

There being no further business before the Committee the meeting was adjourned.