

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairperson Richard Proehl at 1:30 pm on Wednesday, March 09, 2016, 582-N of the Capitol.

All members were present

Committee staff present:

Scott Wells, Office of Revisor of Statutes
Jill Shelley, Legislative Research Department
Aaron Klaassen, Legislative Research Department
Adam Siebers, Office of Revisor of Statutes
Betty Boaz, Kansas Legislative Committee Assistant

Conferees appearing before the Committee:

Allie Devine representing US Custom Harvesters Inc.
Josh Roe, Assistant Secretary, KS Department of Agriculture
Tom Whitaker, Executive Director, KS Motor Carriers Association
Tom Palace, Executive Director, Petroleum Marketers and Convenience Store Ass'n. of KS
James Hanni, Vice President, Public Affairs, AAA
Norraine Wingfield, Project Director, KS Traffic Safety Resource Office
Lauren Newell, Student, Wabaunsee High School
Jeff Schawe, Master Trooper, KS Highway Patrol
Sandy Horton, Crawford County Sheriff (Ret) President of KS Sheriffs Association
Darlene Whitlock, KS State Nurses Ass'n. and KS Emergency Nurses Ass'n.

Others in attendance:

[See Attached List](#)

Chairman Proehl opened the meeting and allowed several Members Points of Personal Privilege to introduce their "shadows" for the day: Representative Goico introduced Courtney Massony from Wichita; Representative Ballard introduced Marissa Cyphers from Wichita and Representative Read introduced Josie Teagarden from LaCygne, KS.

Chairman Proehl opened the hearing on **Sub. SB99**.

Hearing on: SB99 — Substitute for SB 99 by Committee on Transportation - Relating to height and length of vehicles and loads and exceptions to maximums.

Staff explained the bill.

The Chairman recognized Allie Devine as the first Proponent. ([Attachment 1](#)) According to Ms. Devine, over the past ten years, US Custom Harvesters Inc. has sought to achieve an exemption for

CONTINUATION SHEET

MINUTES of the Committee on Transportation at 1:30 pm on Wednesday, March 09, 2016 in Room 582-N of the Capitol.

Kansas from federal and state length limits similar to the exemption Nebraska has enjoyed. She said this exemption, if adopted, will save custom harvesters time and money in the movement of equipment.

The next proponent was Josh Roe. ([Attachment 2](#)) He said an important facet of the agricultural industry in Kansas is the ability to conduct timely harvests. According to Mr. Roe, a key driver of efficiency is being able to travel between states such as Kansas and Nebraska without having to break down and reconfigure the tractor-trailer rig to meet different length requirements.

Tom Whitaker was the next proponent. ([Attachment 3](#)) Mr. Whitaker stated that the KMCA requested that the Senate Transportation Committee amend **SB99** by changing the effective date to the Kansas Register and by adopting language, which also passed by Congress in the Federal Highway Legislation, that extends the length and overhang limitations for a stinger steered automobile transporter. As written in **S Sub for SB99**, the bill increases the overall length for stinger-steered automobile transporter from 75 feet to 80 feet and increases the overhang to four feet in the front of the vehicle and six feet beyond the rear of the vehicle.

The Chairman drew the Committee's attention to Written Testimony submitted in support of **SSB99** by the KS Department of Transportation ([Attachment 4](#)) and Ray Flickner representing KS Farm Bureau. ([Attachment 5](#))

There were no other Proponents and no Opponents so after all questions were answered the Chairman closed the hearing on **SSB99** and opened the hearing on **SB349**.

Hearing on: SB349 — Hazardous materials endorsement exemption.

Staff explained the bill.

The Chairman recognized Allie Devine as the first Proponent. ([Attachment 6](#)) According to Ms. Devine Congress passed an act which included an amendment to federal law authorizing states to waive the requirement for a holder of a Class A commercial to obtain a hazardous material endorsement for a CDL license holder employed in a custom harvester operation, agrichemical business, farm retail outlet and supplier or livestock feeder. This bill would amend Kansas law to implement the federally authorized exemption.

The next Proponent was Tom Palace. ([Attachment 7](#)) According to Mr. Palace, **SB349** will exempt an employee of a custom harvester operation that transports 1,000 gallons or less diesel fuel from the hazardous material endorsement. He said currently persons that transport 119 gallons of diesel fuel must have a HazMat endorsement to their CDL.

There were no other Proponents and no Opponents. After questions were answered Chairman Proehl closed the hearing on **SB349** and opened the hearing on **SB274**.

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CONTINUATION SHEET

MINUTES of the Committee on Transportation at 1:30 pm on Wednesday, March 09, 2016 in Room 582-N of the Capitol.

Hearing on: SB274 — Creating the seat belt safety fund; increasing the fine for adult seat belt violations; allowing persons to operate sailboat after completing instruction led class.

Staff explained the bill.

Chairman Proehl recognized Jim Hanni as the first Proponent. ([Attachment 8](#)) According to Mr. Hanni, a program called SAFE (Seatbelts Are For Everyone) is a nationally recognized program and is being replicated in states across the nation. He said this program is a long-term public safety culture change with a source of funding identified, paid only by those who break the law, not only by Kansas motorists but motorists who break the law, instead of fees or taxes paid by Kansans. He said **SB274** pays for itself by proposing a fine of \$30 and directs \$20 to fund the SAFE program.

The next Proponent was Norraine Wingfield with assistance from David Corp, Law Enforcement Liaison with KDOT. ([Attachment 9](#)) She said SAFE is a cooperative effort to increase restraint compliance through positive rewards, education and strong enforcement. Mr. Corp provided more indepth information on the benefits of the program.

The Chairman recognized Lauren Newell as the next Proponent. ([Attachment 10](#)) Ms. Newell gave a first-hand account of being in an accident where she, as a passenger, walked away from the accident, but the driver, who was not wearing a seatbelt, sustained a traumatic brain injury.

The next Proponent was Master Trooper Jeff Schawe. ([Attachment 11](#)) According to Master Trooper Schawe, when he transferred to Stafford County he noted low seatbelt usage, especially in teenagers. Working with the community he gathered information and implemented the SAFE program in 2013. He said in over two years into the program they have seen not only better seatbelt usage but also better life decisions being made.

Sheriff Sandy Horton (Ret) was recognized as the next Proponent. ([Attachment 12](#)) Sheriff Horton gave background information on how the SAFE program started in Crawford County, their successes and reasons why this program should continue.

Darlene Whitlock was the last oral Proponent. ([Attachment 13](#)) She said that there is evidence to show that the SAFE Program improves seatbelt use through a cooperative effort from the Kansas Traffic Safety Resource Office, law enforcement and high school students.

Chairman Proehl drew the Committee's attention to Written Testimony provided in support of **SB274** by:

Chris Tymeson, Chief Attorney with Wildlife and Parks ([Attachment 14](#))

Ed Klumpp on behalf of the KS Ass'n. of Chiefs of Police and the KS Peace Officers Ass'n.

([Attachment 15](#))

Amanda Gress representing KS Action for Children ([Attachment 16](#))

Bill Sneed, representing The State Farm Insurance Companies ([Attachment 17](#))

Dr. William Sachs, Trauma Medical Director and Angela Gamber, Administrative Director: Emergency,

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Trauma and Surgery, Stormont Vail Health ([Attachment 18](#))

Dr. Susan Mosier, Secretary, Department of Health and Environment ([Attachment 19](#))

Lt. Adam Winters, KS Highway Patrol ([Attachment 20](#))

There was Written Neutral Testimony provided by Joe House, Board of Emergency Medical Services ([Attachment 21](#))

There were no other Proponents, Neutral or Opponents so after questions were answered the Chairman closed the hearing.

ANNOUNCEMENTS

Chairman Proehl announced to the Committee that the next meeting would be on Tuesday, March 15, 2016.

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