

## MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairperson Mike Petersen at 8:30 am on Tuesday, February 03, 2015, 546-S of the Capitol.

All members were present except:

Senator Anthony Hensley – Excused

Committee staff present:

Jill Shelley, Legislative Research Department

Whitney Howard, Legislative Research Department

Adam Siebers, Office of Revisor of Statutes

Carolyn Long, Kansas Legislative Committee Assistant

Scott Wells, Office of Revisor of Statutes

Conferees appearing before the Committee:

Jim Hanni, AAA Allied Group

Norraine Wingfield, Kansas Traffic Safety Resource Office

David Corp, Kansas Department of Transportation

Bobbi Smith, Student, Pittsburg State University

Morgan Krankenburg, Student

Trooper Jeff Schawe, Kansas Highway Patrol

Sandy Horton Kansas Sheriff's Association

Hilary Gee, Kansas Action for Children

Elaine Swisher, KS Emergency Nurses Association

Others in attendance:

[See Attached List](#)

### **Possible Bill Introductions**

The Chairman opened the meeting by reminding those in attendance that the deadline for bill submission to the committee would be Thursday. He then asked for any bill introductions. Senator Fitzgerald asked for legislation to rename a portion of K-7 in Lansing. There were no committee objections.

### **Hearing on: SB82 — Creating the seat belt safety fund and increasing the fine for adult seat belt violations.**

Chairman Petersen opened the hearing on **SB 82**. Adam Siebers, Assistant Revisor, explained that the bill would establish the Seat Belt Safety Fund administered by the Kansas Department of Transportation. The fund would be used to promote and educate citizens on occupant protection among children. The Fund would receive 5.26 percent of all fines, penalties, and forfeitures received from clerks of the district court. Currently, the fine is \$10 when a vehicle occupant who is 18 or older fails to wear a seat belt. When the occupant is 14 years years old, but less than 18 years old, the fine for not wearing a seat belt is \$60. **SB 82** would make the fine \$60 for all seat belt violations for persons 14 years of age or older. The bill would require that \$40 from each fine for a violation of a city ordinance requiring the use of a seat belt for individuals 18 years of age or older be submitted to the State

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Treasurer.

Chairman Petersen welcomed Jim Hanni, AAA Allied Groups. Mr. Hanni said that historically, teen seat belt usage has been significantly below adult usage in Kansas, but that trend has started to change. A program was established in Crawford County in 2009 called SAFE (Seatbelts Are for Everyone) and with assistance from AAA, the program has produced impressive results. Crawford County went from teen seat belt usage of 38 percent to 86 percent during the programs duration. There is a disparity between fines for teen and adult violations in Kansas. Making the adult fine the same as the teen fine, \$60, could fully fund SAFE in every high school cross Kansas, as well as provide occupant restraint promotion and education dollars. There is overwhelming certainty that on the average, public opinion favors an even higher seat belt fine than being proposed. Kansas loses about 400 individuals per year from motor vehicle crashes and it is the number one killer of teens. Of all countermeasures available today to reduce motor vehicle injuries and fatalities in Kansas, wearing a seat belt or securing a child in a properly installed child safety seat would make the greatest impact on reducing deaths. He urged the Committee place their trust in the SAFE program and its student leaders as the results are positive ([Attachment 1](#)).

Norraine Wingfield, Kansas Traffic Safety Resource Office, and Dave Corp, Law Enforcement Liaison for the Kansas Department of Transportation, shared with the Committee information they had obtained on a successful data-proven occupant protection program ([Attachment 2](#)). Ms. Wingfield noted that children are much more likely to be buckled up if the driver is also belted. If the teen driver is belted, it is more likely their passengers are belted also. Her office would like to continue their efforts to provide occupant protection education to the youth and communities of Kansas. Mr. Corp asked the Committee to visualize the inside of a car and note there are no sharp edges--a "live-zone." The car is designed to protect the individual in a crash if they have their seat belt on. Regardless of other factors--impaired, speeding, distracted, run-off the roadway, or lane departure--wearing a seat belt will do more in preventing injury or death on Kansas roadways.

The SAFE program began when four high school students from Ulysses, Kansas lost their lives in a traffic crash and none of them was wearing a seat belt. Education, Rewards, and Enforcement are the three components of this successful program which has been recognized by the National Highway Safety Administration and the Governors' Highway Safety Council. Mr. Corp noted that there are SAFE programs in Iowa and Oklahoma and next year a program will begin in Missouri.

Bobbi Smith, a student at Pittsburgh State University, informed the committee that on July 28, 2010, she was involved in a motor vehicle accident in which she flipped her vehicle five times and the outcome would have been quite different if she had not been wearing her seat belt. She credits the SAFE program for her survival and spends much of her time speaking to school groups on behalf of the SAFE program.

Morgan Krankenburg, a student, and Trooper Jeff Schawne from the Kansas Highway Patrol spoke

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about their affiliation with the SAFE Program. Trooper Schawne was assigned to Stafford County, which had been without a trooper for the preceding nine years. In an effort to get involved with the students and the community, he initiated the SAFE program in the 2013-14 school year and saw an almost immediate effect on both the students and the community. Morgan was a sophomore when she had her accident. She was driving too fast on a dirt road and over-corrected for an error in her driving. As a result of this accident, Morgan is also a spokesperson for SAFE and credits what she learned from the program for saving her life.

Former Crawford County Sheriff Sandy Horton, retired, representing the Kansas Sheriffs Association, was pleased to share the fact that there have been no fatalities involving teens in Crawford County since introducing SAFE in 2008. In 2014 the Kansas Sheriffs Association adopted SAFE as one of its public safety initiatives. Each sheriff who participated in the SAFE program in his or her county were offered a \$200 grant to help in funding the Incentive Phase. 43 sheriffs participated and the Association provided \$8,600 in funding ([Attachment 3](#)).

Hilary Gee, Director of Health Policy, Kansas Action for Children, stated simply that seat belts save lives, that SAFE is a Kansas-focused solution, and uniform fines will expand SAFE to more students ([Attachment 4](#)).

Elaine Swisher informed the Committee that she had been an ER nurse for 20 years and represented the Kansas Emergency Nurses Association and the Kansas State Nurses Association. The more than 1500 members from those organizations add their support to this important legislation and they believe increasing the fine for lack of seat belt use is also a measure for public health ([Attachment 5](#)).

Written testimony in support of SB 82 was submitted by: Captain Scott Harrington, Kansas Highway Patrol ([Attachment 6](#)) Ed Klump, Kansas Association of Chiefs of Police and Kansas Peace Officers Association ([Attachment 7](#)), Steve Kearney, Kansas State Troopers Association ([Attachment 8](#)), Mike King, Secretary, Department of Transportation, ([Attachment 9](#)), Susan Mosier, MD, Acting Secretary, Kansas Department of Health and Environment ([Attachment 10](#)), and Phyllis Larimore, Children's Mercy Hospital and Clinics ([Attachment 11](#)).

Senator LaTurner expressed his support of this program but wonders if this is the right source of funding. After a brief question and answer period, the Chairman closed the hearing on **SB 82**.

The meeting was adjourned at 9:30 a.m. The next meeting is scheduled for Wednesday, February 4, 2015.