

ROADS AND HIGHWAYS COMMITTEE MEETING -- JANUARY 25, 1971

The Roads and Highways Committee met in room 529 at 2:45 P. M. on January 25, 1971. Chairman Dierdorff called the meeting to order and all members were present.

Guests present were: N. C. Grant, Topeka, Kansas State Chamber of Commerce; Leslie McCall and Mark Denning, Bonner Springs High School, Pages; Mary Turkington and Ray Lindberg, Topeka, Kansas Motor Carriers Association; Clarence Rupp, Manhattan, Kansas Farm Bureau.

Conferees were: Representative Fred Linde; John K. Blythe, Manhattan, Kansas Farm Bureau; Ken Rissler, Topeka; John Gehr, Assistant Director of Highway Administration, Claude McCammet, Director of Safety, State Highway Department, H. J. Ulrich, Superintendent of Motor Vehicle Department, John Morse, Attorney for Highway Department, all of Topeka.

House Bills Nos. 1013 and 1016 were considered.

HOUSE BILL 1013 - AN ACT to amend the Kansas criminal code; concerning the crime of littering; declaring the operator of a motor vehicle to be guilty of littering when certain acts are committed by the occupants of a vehicle under the operator's control; amending KSA 1970 Supp. 21-3722 and repealing the existing section. Mr. Linde explained the bill and said that this would revise the present litter law and the change is to make the driver of the car responsible for the litter that is thrown. Under the present law, unless the peace officer actually sees the person there is no way to hold a person responsible.

Mr. Rissler said that they favor trying to do something

about littering and catching someone responsible. Their industry has had an all out program for several years and they find that fines and catching people violating laws are the best way.

Mr. Blythe said that the Kansas Farm Bureau has been just as concerned as anyone about the littering and cost to the Highway Department. As an organization they have made no specific recommendations as to how to abate this problem. They do not go along completely with the provisions of this bill as they question whether they would want to call them criminally responsible, but they would like to see some reasonable method of abating this problem.

Mr. Dempsey commented that it seems unfair that if four or five were riding in a vehicle and one threw something out that it is the fault of the driver.

Mr. Hayes asked if there has been difficulty in enforcing the law as it is now written. Mr. Linde said the difficulty has been in actually seeing a person in the process of littering.

Mr. Davis observed that a driver has enough difficulty in operating the vehicle without knowing everything that is happening in the car around him.

Mr. Dempsey said it looks like making this a class C misdemeanor with a fine up to \$500 is an awful penalty.

Mr. Jacobs said that he feels people are being educated on this and this really isn't such a big problem. Mr. Lady said that he feels it is more of a problem in the urban areas than in the rural areas but that the problem does exist in the cities

and that people actually throw trash from cars into yards.

HOUSE BILL 1016 - AN ACT relating to the Kansas drivers' license act; amending KSA 1970 Supp. 8-240 and 8-247 and repealing the existing sections. Mr. Linde explained the bill and said that this is a modest proposal to require drivers to qualify at age fifty. Perhaps it should be used for the entire driving population.

Mr. McCamment said that he has talked with Mr. Linde on this and he thinks we should go forth and require all drivers to be re-examined every four years and after age 60-62 every two years. He thinks that if the committee wishes to seriously consider this they should require the eye test and the written test. He distributed maps showing that most of the states do require periodic re-examination. (See Exhibit 1 - attached)

Mr. McCamment said that the provision "no license to operate a motorcycle shall be issued to any person of more than fifty years of age" should be changed -- that there are hundreds of people over fifty who have license to drive motorcycles, and that this is not in keeping with the Federal proposal.

Mr. McCamment said that there are many times when physicians know of people who should not be driving and that unless they are required to will not give this information to the Highway Department. He urged that a study group be established to look into this and make recommendations.

Mr. Lady asked which tests Mr. McCamment felt are necessary -- physical examination, visual and written?

Mr. McCamment said the visual and written tests would be

necessary and that it would be desirable to get the other information from the doctor.

Mr. Davis said that unless a patient authorizes the doctor to give out information that he could be sued.

Mr. McCammet said that Pennsylvania has implemented this and it has been carried out for three or four years.

Mr. Dugan asked if there is any age now where a man has to go and be re-examined.

Mr. McCammet said that only the beginning driver and a person involved in an accident were required to be examined.

Mr. McCammet said the welfare people sent them a list of 1600 blind people. They were called for re-examination and about 700 people had license and many were trying to drive. They also found some who were not blind.

Mr. Ulrich said that from an administrative stand point that any re-examination law will require time to prepare for - people to train, locations for examinations, etc. He said they would need ample time to take care of these details and that there would be quite a fiscal involvement.

Mr. Dierdorff asked how much longer we could go before meeting the federal requirements and Mr. Ulrich said our time is drawing close. He felt there is not much left outside of re-examination and motor vehicle inspection.

Mr. Lady said that last year when we changed the law to four years we said that was the beginning and he feels it is necessary that we move as fast as we can.

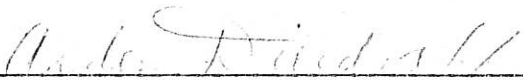
Mr. Linde said that he is agreeable to seeing the age changed.

Mr. Dierdorff thanked the conferees for appearing and told the committee that we will be discussing this more.

The meeting was adjourned.

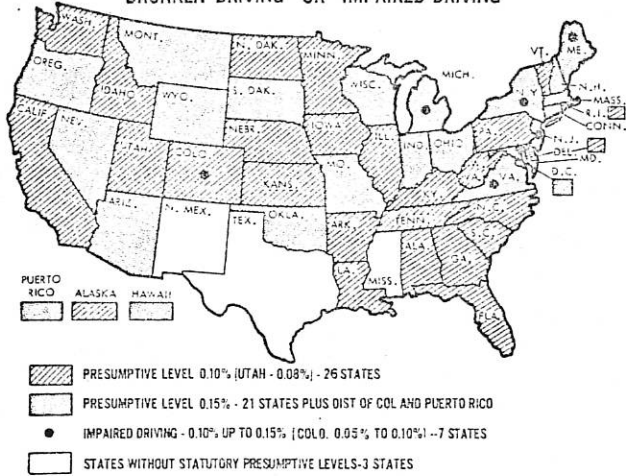
Fran Stafford, Recording Secretary

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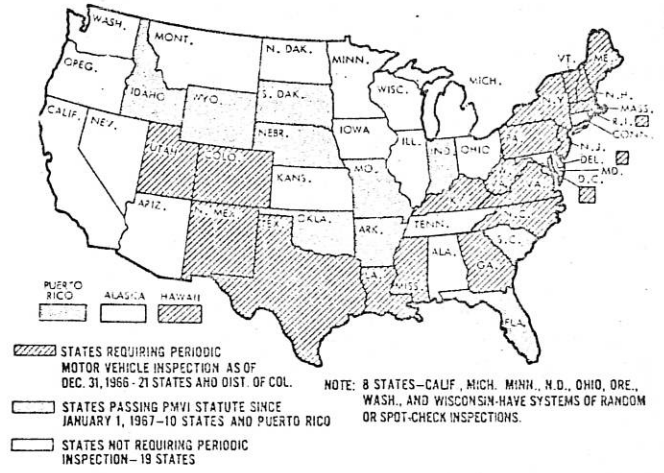
  
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ARDEN DIERDORFF, CHAIRMAN

January 26, 1971

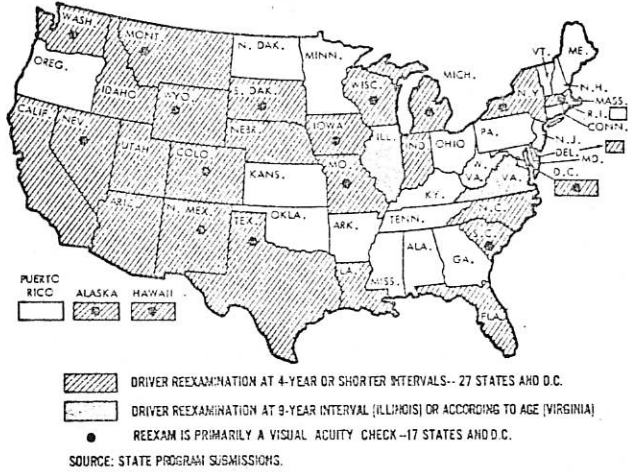
**STATUTORY LIMITS FOR CONVICTIONS OF "DRUNKEN DRIVING" OR "IMPAIRED DRIVING"**



**STATES REQUIRING PERIODIC MOTOR VEHICLE INSPECTION BY LAW**



**STATES REQUIRING REEXAMINATION OF DRIVERS AT TIME OF LICENSE RENEWAL**



**STATES ENACTING LAWS SINCE JANUARY 1, 1967 TO IMPROVE EMERGENCY MEDICAL SERVICES**



National Highway Safety Bureau charts. Data as of May 1, 1970.

Exhibit 1  
 Roads + Hwys.  
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