

Approved 10/11/83 Date

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Rep. Rex Crowell at _____
Chairperson

1:30 XX a.m./p.m. on March 3, 1983 in room 519-S of the Capitol.

All members were present ~~except~~ XXXX

Committee staff present:

Arden Ensley, Revisor of Statutes
Hank Avila, Legislative Research
Pam Somerville, Committee Secretary

Conferees appearing before the committee:

Rep. Norman Justice
Bill Green, Kansas Corporation Commission

The meeting was called to order by the Chairman. First order of business was committee discussion on HB 2122. Rep. Justice, co-sponsor of the bill reviewed the bill's contents for the committee explaining an amendment was needed because of problems with the original bill regarding the route to be designated. (See attachment 1).

Rep. Dillon moved to adopt the amendment. The motion was seconded by Rep. Sutter. Motion passed. Rep. Dillon moved for favorable passage of HB 2122 as amended. Rep. Erne seconded the motion. Motion passed.

The next item for discussion was HB 2468. Chairman Crowell reviewed the contents of the bill for the committee. HB 2468 extends to all liquified petroleum powered vehicles the option of buying motor fuel tax prepaid permits. Currently, only farm vehicles are allowed this option. Rep. Knopp made a motion that HB 2468 be passed favorably. Rep. Justice seconded the motion. Motion passed.

HB 2358 was the next item of discussion. Rep. Crowell briefed the committee regarding the test periods for agency closings. Amendments discussed on 3/2/83 were incorporated in the language. The amendments would provide that the test period in lines 0084 would be for 90 days rather than 180 days but it would be mandatory that the agent stay in place during that 90 day test. Also, the 60 days mentioned in lines 0090 and 0098 would be changed to 30 days. The bill would be effective upon publication in the register. Also, language was added to provide that effective July 1, 1984, any test period shall include the two continuous months of the year in which there were the greatest number of cars shipped and received at such agency or agencies in the two years preceeding the date of the application for the test as determined by the commission. Rep. Crowell asked if there was any additional comments on the bill.

Bill Green, Kansas Corporation Commission expressed the Commission's support of the bill as well as the amendments.

Rep. Justice made a motion to adopt the amendments. Rep. Fuller seconded the motion. Motion passed. Rep. Justice moved for favorable passage of HB 2358 as amended. Rep. Adam seconded. Motion passed.

The next item for discussion was HB 2383. Rep. Knopp presented amendments recommended by the subcommittee (attachment 2). Rep. Knopp made a motion to adopt the amendments. Rep. Cloud seconded the motion. Motion passed. Rep. Johnson moved for favorable passage of HB 2383 as amended. Rep. Erne seconded the motion. Motion passed.

The next item for discussion was HB 2320. Rep. Johnson presented an amendment to provide that the higher speed limits would only apply to four lane divided highways (attachment 3). Rep. Johnson made a motion to adopt the amendment. Rep. Schmidt seconded the motion. Motion passed.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:30 ~~am~~/p.m. on March 3, 1983

Rep. Johnson moved to favorably pass HB 2320 as amended. Rep. Schmidt seconded the motion. Motion failed. Rep. Cloud moved HB 2320 be tabled. Rep. Shelor seconded the motion. Motion passed.

The next item for discussion was HB 2463 regarding use of "quotas" by the highway patrol. Rep. Erne expressed concern that although productivity used to effect only 1/10 of a trooper's evaluation, it now plays a part in 1/3 of the categories on the evaluation. Rep. Erne further expressed concern that the use of "quotas" could subject citizens to inappropriate arrests. Other committee members expressed concern that there may be instances where some type of productivity requirements would be necessary. Also, several committee members expressed concern that this issue had not yet been discussed through the meet and confer process and felt that this approach should be given a chance to work. The fact that only three divisions seemed to feel it necessary to use "quotas" was expressed as a concern by several committee members.

Rep. Knopp made a motion to table HB 2463. Rep. Guldner seconded the motion. Motion passed.

The meeting adjourned at 2:20 p.m.



Rex Crowell, Chairman

HOUSE BILL No. 2122

By Representatives Justice and Love

1-26

AN ACT concerning highways; designating certain highways in Wyandotte county as Dr. Martin Luther King, Jr. Memorial Highway;

; amending K.S.A. 68-1020 and repealing the existing section

Be it enacted by the Legislature of the State of Kansas:

Section 1. United States highways 24 and 73 from the west end of the intercity viaduct, through Washington Blvd. to 11th and Waterway Drive is hereby designated as "the Dr. Martin Luther King, Jr. memorial highway." The secretary of transportation shall place markers along the highways' rights-of-way at proper intervals to indicate that the highway is the Dr. Martin Luther King, Jr. memorial highway.

to its junction with United States highway 40

city of Kansas City

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

Sec. 4.

"Sec. 2. K.S.A. 68-1020 is hereby amended to read as follows: 68-1020. It shall be the duty of the secretary of transportation to designate and mark by suitable signs, following as nearly as possible the route of the historic Lewis and Clark expedition in Kansas, on the following described highways: From the Kansas-Missouri state line west on highway--U.S. 24--and highway U.S. 40 through Kansas City, Kansas, to the intersection of highway U.S. 73; highway U.S. 73 north through Leavenworth to Atchison and the intersection of highway K-7; highway K-7 north through Troy to the Kansas-Nebraska state line.
"Sec. 3. K.S.A. 68-1020 is hereby repealed."

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your committee on Transportation

Recommends that House Bill No. 2383

"AN ACT concerning motor vehicles; certain restricted drivers' licenses; conditioned court orders; penalties for violations; amending K.S.A. 8-237 and repealing the existing section."

Be amended:

On page 3, by striking all of lines 109 to 119, inclusive;

On page 4, by striking all of lines 120 to 132, inclusive, and inserting in lieu thereof the following:

"Sec. 2. K.S.A. 8-245 is hereby amended to read as follows:

8-245. (a) The division, upon issuing a driver's license shall have authority, whenever good cause appears, to impose reasonable restrictions suitable to the licensee's driving ability with respect to the type of, or special mechanical control devices required on, a motor vehicle which the licensee may operate, or such other restrictions applicable to the licensee as the division may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

(b) The division shall set forth such restrictions upon the usual license form.

(c) Upon receiving satisfactory evidence of any violation of the restrictions of such license, the division may suspend or revoke the same, but the licensee shall be entitled to a hearing as provided in K.S.A. 8-255, and amendments thereto.

(d) It is a misdemeanor for any person to operate a motor vehicle in violation of the restrictions imposed pursuant to K.S.A. 8-237, 8-239 or 8-2117, and amendments thereto, or to operate such motor vehicle in any manner in violation of the restrictions imposed pursuant to this section in a restricted

Attachment 2

driver's license issued to such person.

(e) (1) Any person guilty of violating this section, upon the first conviction, shall be fined not to exceed \$250, and the court shall suspend such person's privilege to operate a motor vehicle for not less than 30 days and not more than two years.

(2) Any person guilty of violating this section, upon a second or subsequent conviction, shall be fined not to exceed \$500, and the court shall suspend such person's privilege to operate a motor vehicle for not less than 90 days and not more than two years.

(f) Nothing in this section shall limit a court in imposing penalties authorized by K.S.A. 8-2117 and amendments thereto arising from the same occurrence in addition to penalties and suspensions imposed under this section.

"Sec. 3. K.S.A. ~~8-237~~ and 8-245 are hereby repealed.";

Also on page 4, in line 133, by renumbering section 4 as section 5;

In the title, in line 17, by striking all after the semicolon; in line 18, by striking all preceding "penalties" and inserting in lieu thereof "relating to drivers' licenses and prescribing"; in line 19, by striking all after "and" and inserting "8-245 and repealing the existing sections."

And the bill be passed as amended.

Chairperson

HOUSE BILL No. 2320

By Representative L. Johnson

2-9

0017 AN ACT concerning vehicles; maximum speed limits; penalties
0018 for violations; classification of violations; amending K.S.A.
0019 8-1336 and 8-1558 and repealing the existing sections; also
0020 repealing K.S.A. 8-1341.

0021 *Be it enacted by the Legislature of the State of Kansas:*

0022 Section 1. K.S.A. 8-1336 is hereby amended to read as fol-
0023 lows: 8-1336. (a) Except when a special hazard exists that re-
0024 quires lower speed for compliance with K.S.A. 8-1335, the limits
0025 specified in this section or established as hereinafter authorized
0026 shall be maximum lawful speeds, and no person shall drive a
0027 vehicle at a speed in excess of such maximum limits:

0028 (1) ~~Twenty (20) miles per hour~~ In any business district, 20
0029 miles per hour;

0030 (2) ~~Thirty (30) miles per hour~~ in any residence residential
0031 district, 30 miles per hour; and

0032 (3) ~~Fifty-five (55) miles per hour~~ in all other locations, 55
0033 miles per hour. In the event that the Congress of the United
0034 States shall establish a maximum speed limit greater or less than
0035 the limit above prescribed by this paragraph, the secretary of
0036 transportation may adopt a resolution, subject to the approval of
0037 the governor, establishing such speed limit as the maximum
0038 speed limit of this state. Upon the expiration of sixty (60) days
0039 after the governor has approved any such resolution, the speed
0040 limit stated therein shall be the maximum speed limit of this
0041 state shall be 65 miles per hour or such lesser speed as is
0042 established by the United States Congress on highways having
0043 ~~four or more lanes of traffic and on highways having two lanes,~~
0044 ~~if so designated by the secretary of transportation,~~ in all loca-
0045 tions other than business and residence residential districts. The

divided

ATTACHMENT 3