

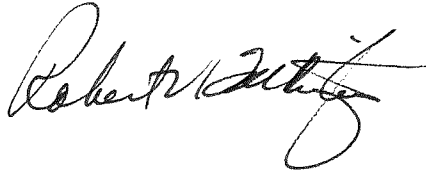
MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by SENATOR ROBERT V. TALKINGTON at  
Chairperson

9:00 a.m. a.m./p.m. on Thursday, March 24, 1983 in room 254-E of the Capitol.

All members were present except:

Senator Rehorn



Committee staff present:

Fred Carman  
Hank Avila  
Rosalie Elack

Conferees appearing before the committee:

HB 2284 - Steve Montgomery, Dept. of Revenue; Margie Tidwell, KS Manufactured Housing Institute

HB 2285 - Steve Montgomery, Dept. of Revenue

HB 2287 - Steve Montgomery, Dept. of Revenue  
Marjorie Van Buren, Executive Assistant to the Judicial Administrator,  
Kansas Unified Court System

The meeting was called to order by Senator Talkington, Chairman, who introduced Margie Tidwell to discuss House Bill 2284.

HOUSE BILL 2284 - HEARING AND ACTION

Margie Tidwell requested the removal of K.S.A. 8-2415, K.S.A. 8-2419 and K.S.A. 8-2424 in HB 2284 which specifies penalties for those in violation of the vehicle dealer and manufacture licensure act.

Steve Montgomery opposed the removal of statutes which he said act as a mechanism for the Department of Revenue to force manufacturers and dealers to honor obligations to each other.

Senator Hein moved to amend HB 2284 in removal of K.S.A. 8-2415, K.S.A. 8-2419 and K.S.A. 8-2424; seconded by Senator Burke. The motion carried.

Senator Hein moved to amend HB 2284 in the sections that are remaining to provide for a civil penalty not to exceed \$500; seconded by Senator Burke. The motion carried.

Senator Hein moved that HB 2284 be reported favorable for passage as amended; seconded by Senator Burke and passed.

HOUSE BILL 2285 - HEARING AND ACTION

Steve Montgomery indicated the bill was requested by the Department of Revenue as a clean up in clarifying drivers' license suspensions and revocations.

Senator Meyers moved that HB 2285 be placed on the consent calendar; seconded

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,  
room 254-E, Statehouse, at 9:00 a.m. a.m./p.m. on March 24, 1983

HOUSE BILL 2285 (continued)

by Senator Hein and passed.

HOUSE BILL 2287 - HEARING AND ACTION

Steve Montgomery said the Department of Revenue favors HB 2287 which requires a motor carrier to post a cash bond when not in compliance with liability insurance or interstate motor fuel tax authorization.

Senator Talkington introduced Marjorie Van Buren who passed to the Committee copies of an amendment changing figures in the appearance bonds sections and increasing court costs. (See Attachment 1.)

Senator Hein moved to amend HB 2287 by adopting new figures for appearance bonds and changing court costs from \$10 to \$19; seconded by Senator Hayden and passed.

Senator Hein moved that HB 2287 be reported favorable for passage as amended; seconded by Senator Hayden and passed.

HOUSE BILL 2125 - ACTION

Senator Hein moved to adopt Senator Francisco's amendment (see Attachment 2) changing two years to 18 months in which county commissioners could adopt another resolution to impose a tax levy after rejection by voters; seconded by Senator Meyers and passed.

Senator Norvell moved that House Bill 2125 be reported out of Committee without recommendation; seconded by Senator Thiessen and passed.

HOUSE BILL 2358 - ACTION

The Committee discussed Representative Crowell's bill which involves the closing of railroad agencies.

Fred Carman suggested that "station" closing in Line 22 be changed to "agency" closing.

Senator Norvell moved that the word "agency" be used in Line 22; seconded by Senator Hayden and passed.

Senator Thiessen moved that HB 2358 be reported favorable for passage as amended; seconded by Senator Kerr and passed.

The meeting adjourned at 9:57 a.m.

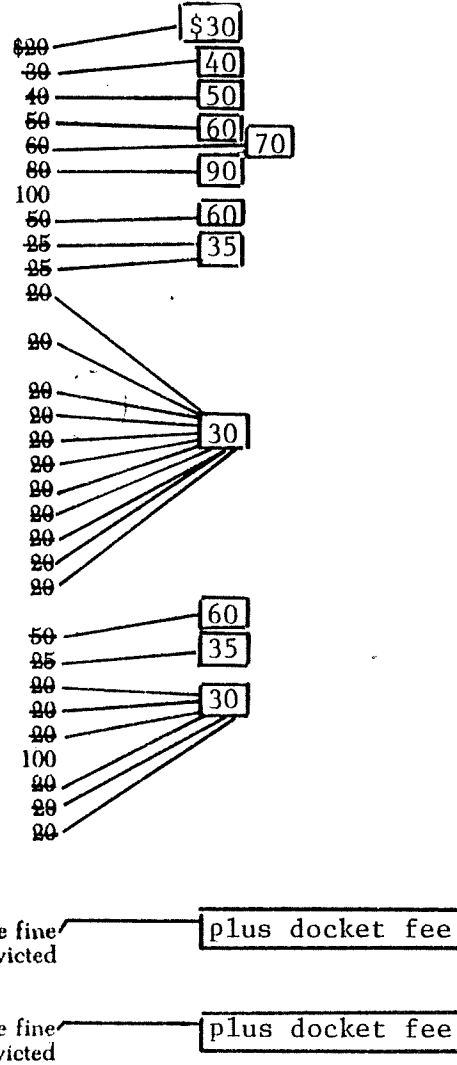
Please PRINT Name, Address, the organization you represent, and the Number of the Bill in which you are interested. Thank you.

NAME	ADDRESS	ORGANIZATION	BILL NO.
ED DE SOIANIE	TOPEKA	KDOT	—
William Nichols	Topeka	KMHI	
Marjorie Tidwell	Topeka	KMHI	
MERLE HALL	TOPEKA	KS. GOOD ROADS ASSN	
Marjorie VanBuren	Topeka	Kansas Unified Court System	2287
BILL BREED	STATE OFF. BLDG.	STATE EMP. ASSN	—
Arthur Denton		KMICA	

0118 to the regulation of motor carriers, trucks or truck tractors, such  
 0119 agent or employee may require the driver of the motor carrier,  
 0120 truck or truck tractor so halted to give a driver's license or bond in  
 0121 the same manner and to the same extent as in subsections (a) and  
 0122 (c).

0123 (e) The offenses for which appearance bonds may be required  
 0124 as provided in subsection (c) and the amounts thereof shall be as  
 0125 follows:

- 0126 Speeding, minimum bond .....
- 0128 Eleven to fifteen over limit .....
- 0130 Sixteen to twenty over limit .....
- 0132 Twenty-one to twenty-five over limit .....
- 0134 Twenty-six to thirty over limit .....
- 0136 Thirty-one to forty over limit .....
- 0138 Forty-one and over the limit .....
- 0140 Heckless driving .....
- 0142 Fail to comply with lawful order of officer .....
- 0144 Fail to yield right-of-way to emergency vehicle .....
- 0146 Fail to obey official traffic-control signal .....
- 0148 Driving less than posted minimum speed, or impeding the normal  
0149 and reasonable flow of traffic .....
- 0151 Driving left of center, in wrong lane or in wrong direction on one-  
0152 way .....
- 0154 Illegal passing .....
- 0156 Failure to yield right-of-way .....
- 0158 Failure to stop at stop sign .....
- 0160 Illegal turn, turn approach or failure to signal .....
- 0162 Following too close .....
- 0164 Illegal stop, stand or park .....
- 0166 Illegal backing .....
- 0168 Fail to stop for railroad electric or mechanical signal devices .....
- 0170 Depositing or throwing trash or destructive or injurious material on  
0171 highway .....
- 0173 Passing school bus which is displaying stop signal .....
- 0175 Brakes inadequate or defective .....
- 0177 Registration violation .....
- 0179 No operator's or chauffeur's license or violation of restrictions .....
- 0181 Driving while license suspended or revoked .....
- 0183 Spilling load on highway .....
- 0185 Failure to dim headlights .....
- 0187 Illegal or defective lights .....
- 0189 Overload:
- 0190 Gross weight of vehicle or  
0191 combination of  
0192 vehicles .....
- 0193 .....
- 0194 Gross weight upon any  
0195 axle or tandem, triple  
0196 or quad axles .....
- 0197 .....
- 0198 Failure to obtain proper registration, clearance or to have current  
0199 certification as required by K.S.A. 66-1324 and amendments  
0200 thereto .....



0202 *Insufficient liability insurance for motor carriers pursuant to K.S.A.*  
 0203 *66-1,128 or 66-1314 and amendments thereto . . . . .*  
 0205 *Failure to obtain interstate motor fuel tax authorization pursuant to*  
 0206 *K.S.A. 79-34,122 and amendments thereto . . . . .*  
 0208 *Improper equipment (horn, muffler, rear vision mirror, wiper, glass,*  
 0209 *safety devices, fire extinguishers, flares, reflectors, flags, or other*  
 0210 *required equipment) . . . . .*  
 0212 *No authority as private, contract or common carrier. . . . .*  
 0214 *No drivers daily log . . . . .*  
 0216 *Invalid or no physical examination card . . . . .*  
 0218 *Transporting open container of alcoholic liquor or cereal malt bev-*  
 0219 *erage accessible while vehicle in motion. . . . .*  
 0221  
 0222 (f) In the event of forfeiture of any of the bonds set forth in  
 0223 this section, then ~~\$10~~ of said forfeited bond shall be regarded as  
 0224 court costs in any court having jurisdiction over said violation of  
 0225 state law.  
 0226 Sec. 2. K.S.A. 8-2107 is hereby repealed.  
 0227 Sec. 3. This act shall take effect and be in force from and after  
 0228 its publication in the statute book.

100  
 100  
 20  
 100  
 20  
 20  
 200

30

\$19

0045 conclusion of the ~~aforsaid~~ five-year period additional funds for  
 0046 road and bridge purposes are needed, the board of county com-  
 0047 missioners may extend the provisions of this ~~act~~ section for an  
 0048 additional five years by adopting a resolution which shall be  
 0049 published once each week for two consecutive weeks in the  
 0050 official county newspaper, or if there is none, in a newspaper of  
 0051 general circulation therein. No such resolution shall take effect  
 0052 until ~~sixty (60) 60~~ days after its final publication. If within ~~sixty~~ 90  
 0053 ~~(60) 60~~ days of the final publication of such resolution, a petition  
 0054 signed by a number of electors equal to not less than ~~five percent~~  
 0055 ~~(5%) 5%~~ of the number of electors who voted at the last preceding  
 0056 regular election in such county shall be ~~is~~ filed in the office of the  
 0057 clerk of such county demanding that such resolution be submit-  
 0058 ted to a vote of the electors it shall not take effect until submitted  
 0059 to a ~~referendum~~ and approved by a majority of the electors voting  
 0060 thereon. Any election held hereunder shall be noticed and held in  
 0061 the manner provided for general bond elections as set forth in  
 0062 K.S.A. ~~1070 Supp.~~ 10-120, and amendments thereto.

0063 Sec. 2. K.S.A. 68-559a is hereby repealed.

0064 Sec. 3. This act shall take effect and be in force from and after  
 0065 its publication in the statute book.

In the event that a resolution is submitted to a vote of the electors under this section, and the resolution is rejected by the voters, the board of county commissioners shall not adopt another resolution under this section to impose a tax levy of more than one mill sooner than two years after such election of rejection.