

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Representative Rex Crowell at
Chairperson

1:30 ~~xxx~~/p.m. on February 27, 1984n room 519-S of the Capitol.

All members were present ~~except~~

Committee staff present:

Fred Carman, Office of the Revisor of Statutes
Raney Gilliland, Legislative Research Department
Donna Mulligan, Committee Secretary

Conferees appearing before the committee:

Sgt. William A. Jacobs, Kansas Highway Patrol
Representative Steve Cloud
Mr. Scott Lamberts, City of Overland Park
Mr. Tom Whitaker, Kansas Motor Carriers Association
Representative Jim Lowther

The meeting was called to order by Chairman Rex Crowell.

The first order of business was a hearing on HB-3086, and testimony was given by Sgt. William A. Jacobs of the Kansas Highway Patrol. (See Attachment 1)

Sgt. Jacobs informed the committee the Highway Patrol requested the introduction of HB-3086 concerning a penalty provision for vehicles operating laden under temporary registration for a period of longer than 48 hours. He said that without a penalty the law is impossible to enforce. He requested the bill be considered favorably.

The next order of business was a hearing on HB-3085 concerning requirements to dim headlights on divided highways and interstates, and Sgt. Bill Jacobs of the Kansas Highway Patrol presented testimony in favor of the bill. (See Attachment 2) He requested that HB-3085 be considered favorably in the interest of safety for motorists traveling in Kansas.

Representative Johnson made a motion that HB-3085 be passed favorably and placed on the consent calendar. The motion was seconded by Representative Webb. Motion passed.

The next order of business was a hearing on HB-3084 concerning the definition of interstate system. Sgt. Bill Jacobs of the Kansas Highway Patrol gave testimony in favor of the bill. (See Attachment 3)

St. Jacobs explains that there have been problems encountered in some courts of law when persons have been charged with certain violations occurring on the "interstate" and the courts have dismissed charges based on the fact there is no definition of the interstate system in the traffic related statutes.

The motion was made by Representative Justice to pass HB-3084 favorably and place it on the consent calendar. Representative Fuller seconded the motion. Motion passed.

The next order of business was a hearing on HB-2976 concerning placement and display of signs indicating handicapped parking spaces. Representative Steve Cloud, sponsor of the bill, briefed the committee and explained that the intent of HB-2976 is to permit the height of "handicapped parking" signs to range from the current 7 feet down to 32".

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:30 ~~xx~~ a.m./p.m. on February 27, 1984

Mr. Scott Lamberts, Administrative Assistant of the City of Overland Park, testified in support of HB-2976. He indicated his city's main problem is "handicapped parking" signs located at shopping centers which are not 7 feet high.

Representative Erne inquired whether or not there were any Federal guidelines on this matter, and Mr. Fred Carman cited KSA 8-2003 which directs the Secretary of Transportation to adopt signs that are in accordance with a Federal regulation.

This ended the hearing on HB-2976.

The next order of business was a hearing on HB-2963, concerning height of headlamps on motor vehicles. Representative Jim Lowther, sponsor, explained the bill to the committee saying there seems to be a current "fad" whereby vehicles are being elevated in the air to an extent that they become a danger to other smaller vehicles.

Mr. Tom Whitaker of Kansas Motor Carriers Association told the committee he telephoned Wendell Doonan with Doonan Truck and Equipment in Great Bend and asked them to measure the height of the headlights on a new Peterbilt and the center of the beam is 51½ inches off the ground.

Mr. Whitaker stated the way HB-2963 is currently written, Kansas Motor Carriers would oppose it as it would apply to their industry.

Representative Shelor commented that the height of the headlight is not the problem, rather, it is mainly the height of the bumper.

Chairman Crowell announced the hearing on HB-2963 was ended, and appointed a sub-committee consisting of Representatives Guldner, Harper and Erne to study the matter.

The next order of business was committee discussion and action on HB-2646 and Mr. Bill Edds of the Kansas Department of Revenue presented a proposed amendment to HB-2646. (See Attachment 4)

The motion was made by Representative Erne to amend HB-2646 as suggested by Mr. Edds. The motion was seconded by Representative David Webb. Motion passed.

Chairman Crowell and Fred Carman discussed HB-2646 and HB-2976, and the possibility of marrying the two.

It was moved by Representative Erne to adopt the provisions of HB-2976 concerning height of handicapped parking signs into HB-2646. The motion was seconded by Representative Dillon. Motion passed.

Further discussion was held and it was moved by Representative David Webb to pass HB-2646 as amended favorably. The motion was seconded by Representative Justice. Motion passed.

The meeting was adjourned at 2:30 p.m.


Rex Crowell, Chairman

SUMMARY OF TESTIMONY
BEFORE THE HOUSE TRANSPORTATION COMMITTEE

HOUSE BILL 3086

PRESENTED BY THE KANSAS HIGHWAY PATROL
(SERGEANT WILLIAM A. JACOBS)

February 27, 1984

APPEARED IN SUPPORT

The Patrol requested the introduction of this bill and appears today in support for the following reason.

The 1983 session passed House Bill 2283 which amended KSA 8-2409 which prohibits operation of a truck, truck tractor or any combination of truck or truck tractor and any type of trailer or semi-trailer with temporary registration under laden conditions for more than 48 hours after the issuance of such permit.

There is no penalty for violation prescribed in this section or anywhere else in Article 24 of Chapter 8 for operation beyond the 48 hour limit. This makes the law virtually impossible to enforce.

Upon scrutinizing Article 24 of Chapter 8, we did find that all criminal penalties were removed from the Article which also prohibits enforcement of laws applying to the illegal use of dealer tags. This committee may wish to look into the possibility of reinstating a penalty section to apply to the complete Article or to a portion thereof.

Again, we thank you for your time and effort in the safe and legal movement of vehicles on Kansas highways and solicit your favorable consideration of this bill.

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SUMMARY OF TESTIMONY
BEFORE THE HOUSE TRANSPORTATION COMMITTEE

HOUSE BILL 3085

PRESENTED BY THE KANSAS HIGHWAY PATROL
(SERGEANT WILLIAM A. JACOBS)

February 27, 1984

APPEARED IN SUPPORT

The Patrol requested the introduction of this bill and appears today in support for the following reason.

K.S.A. 8-1725 presently requires operators of vehicles operated on a roadway during night time hours to dim their headlights when approaching a vehicle within 500 feet and when following another vehicle within 300 feet.

Some courts have ruled that individuals were not required to dim headlights for approaching vehicles on certain divided highways and interstates because they were operating on separate roadways.

Safety is jeopardized on these types of highways. Even though these approaching vehicles are on separate roadways, they are in very close proximity. Many vehicles are now equipped with very bright halogen headlights and can be very blinding to oncoming motorists.

The amendment in this bill changing the word "roadway" to "highway" would include the entire width between boundary lines of every highway publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

In the interest of safety for all motorists travelling in Kansas, we ask for your favorable consideration of this bill.

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SUMMARY OF TESTIMONY
BEFORE THE HOUSE TRANSPORTATION COMMITTEE

HOUSE BILL 3084

PRESENTED BY THE KANSAS HIGHWAY PATROL
(SERGEANT WILLIAM A. JACOBS)

February 27, 1984

APPEARED IN SUPPORT

The Patrol requested the introduction of this bill and appears today in support for the following reason.

Throughout the motor vehicle laws pertaining to the movement of traffic on Kansas highways, several laws are referenced to the interstate system.

There have been problems encountered in some courts of law when persons have been charged with certain violations occurring on the "interstate" (An example would be a "U" turn violation on the interstate). The particular courts have dismissed these charges based on the fact that there is no definition of the interstate system in the traffic related statutes.

We feel that this bill would alleviate this problem by simply providing a definition to be applied to these particular statutes concerning the interstate.

We solicit your favorable consideration for this bill so that the laws pertaining to the motoring public can be enforced equally throughout the state.

PROPOSED AMENDMENT
to House Bill 2646

On page 1, in line 36, by striking "and" and inserting "or"; in line 39, by striking all after the period; by striking all of line 40; on line 41, by striking all before "Such";

On page 2, after line 59, by inserting a new subsection to read as follows:

"(e) Beginning in the year in which new license plates are issued pursuant to subsection (b) of K.S.A. 8-132, and amendments thereto, a person submitting satisfactory proof that the disability, condition or impairment referred to in subsection (a) is permanent in nature, upon such person's request and payment of the fee referred to in subsection (d), shall be issued such special license plate and a permanent identification card."; also on page 2, in line 60, by striking "(e)" and inserting "(f)"; in line 78, by striking "(f)" and inserting "(g)";

On page 3, in line 84, by striking "(g)" and inserting "(h)"; in line 86, by striking "(h)" and inserting "(i)";

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