

MINUTES OF THE House COMMITTEE ON Transportation

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

1:30 ~~am~~/p.m. on February 27, 1985 in room 519-S of the Capitol.

All members were present ~~xxxx~~

Committee staff present:

Hank Avila, Legislative Research Department
Fred Carman, Office of the Revisor of Statutes
Donna Mulligan, Committee Secretary

Conferees appearing before the committee:

Representative David Louis
Mayor Tony Soetaert, Shawnee, Kansas
Mr. Ed DeSoignie, Kansas Department of Transportation
Mrs. Joan Watson, Office of Social and Rehabilitation Services
Mrs. Debbie Brummer, Randolph-Sheppard Vendors of Kansas, Inc.
Mr. Robert L. Sheldon, Division of Blind Services, SRS
Mr. Michael J. Byington, Kansas Association for the Blind
Mr. R. J. Edlund, National Federation of the Blind
Representative Kathryn Sughrue
Mr. Russell Lupton, Dodge City, Kansas
Mr. Harley T. Duncan, Kansas Department of Revenue
Ms. Mary P. Ladesic, Wyandotte County Treasurer

The meeting was called to order by Chairman Crowell and the first order of business was a hearing on HB-2348 concerning designating certain high-ways in Johnson County as Shawnee Mission Parkway.

Representative David Louis, sponsor of the bill, briefed the Committee on its contents.

Mayor Tony Soetaert of Shawnee, Kansas presented testimony in favor of HB-2348. (See Attachment 1)

Mr. Ed Desoignie of the Kansas Department of Transportation, testified in support of HB-2348, and distributed a map to the Committee. (See Attachment 2)

There being no questions, the hearing on HB-2348 was concluded.

The next order of business was a hearing on HB-2437 concerning the display and sale of goods on state highway right-of-way by blind persons.

Mrs. Joan Watson, Social and Rehabilitation Services, testified in support of HB-2437. (See Attachment 3) She explained that the intent of this bill is to amend K.S.A. 68-432, so that blind vendors can place vending machines at interstate highway rest areas.

Mrs. Debbie Brummer, representing the Randolph-Sheppard Vendors of Kansas, Inc., presented testimony in support of HB-2437. (See Attachment 4) She advocated the passage of HB-2437 in order that the visually impaired could have jobs which would allow them to be self-supporting taxpayers.

Chairman Crowell asked if the Randolph-Sheppard organization is a federally designed project receiving federal funds. Mrs. Brummer said that in 1936 Senators Randolph and Sheppard initiated legislation which gives priority to blind persons operating cafeteria services in federal buildings. The program, she said, does receive federal tax dollars.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation

room 519-S, Statehouse, at 1:30 ~~AM~~/p.m. on February 27, 1985

Mr. Robert L. Sheldon, of the Division of Blind Services, SRS, took the stand and answered questions for the Committee. Representative Brown asked what the profit is on each can of pop sold in the vending machines along interstate highways. Mr. Sheldon answered \$.05.

Representative Freeman asked the number of states which are currently participating in this program, and what has been the success of these programs. Mr. Sheldon said 12 states are participating. He said in heavily traveled states such as Florida the income generated from this program has been approximately \$800,000.

Mr. Michael J. Byington of the Kansas Association for the Blind and Visually Impaired, Inc. testified in favor of HB-2437. (See Attachment 5)

There were no questions for Mr. Byington.

Mr. Ed DeSoignie of the Kansas Department of Transportation gave favorable testimony on HB-2437. (See Attachment 6) Mr. DeSoignie said that Section III of the 1982 Surface Transportation Assistance Act (STAA) permits the installation of vending machines in safety rest areas and recreational areas on the interstate highway system. According to provisions of the act the vending machines may dispense food, drink, and other articles as the Secretary of Transportation (state) determines is necessary for the traveling public.

Mr. R. J. Edlund, National Federation of the Blind, presented favorable testimony in support of HB-2437.

The public hearing on HB-2437 was ended.

The Chairman appointed a subcommittee on HB-2437 consisting of Representatives Spaniol as chairman, Brown and Justice.

The next order of business was a hearing on HB-2207 concerning registration and insurance requirements for recreational motor vehicles.


Representative Kathryn Sughrue, sponsor of the bill, briefed the Committee on its contents. (See Attachment 7)

Mr. Russell Lupton, Dodge City, Kansas, gave favorable testimony concerning HB-2207. (See Attachment 8) Mr. Lupton maintained that recreational vehicles are used only a few months out of the year and owners should not be forced to pay full annual insurance rates.

Mr. Harley T. Duncan, Secretary of the Department of Revenue, testified in opposition to HB-2207. He indicated there would be numerous problems regarding registration and the purchase of tags if these vehicles were only insured for part of the year.

Ms. Mary P. Ladesic, Wyandotte County Treasurer, testified in opposition to HB-2207. (See Attachment 9) She said the bill creates problems and confusion and she feels the bill is not precise and does not define recreational vehicle.

The meeting was adjourned at 3:30 p.m.


Rex Crowell, Chairman

February 27, 1985

Members of the Committee:

My name is Tony Soetaert and I am the Mayor of the City of Shawnee. For several years, there has been a problem identifying the stretch of four-lane street or highway which extends from K-7 Highway on the west to State Line on the east. This road is called K-10 Highway, 63rd Street, Highway 50, Highway 56, Johnson Drive, and other names which I cannot recall at present. Recently, a portion of this road between K-7 Highway and where K-10 currently terminates in Kansas City, Kansas has been changed from K-10 to K-12 Highway.

In Shawnee, the most commonly used designation is 63rd Street. In fact, it is close to the alignment of 63rd Street until the road reaches Pflumm Road at which time, K-10 begins to move to the south and eventually ends up close to what would be the alignment of 67th Street. At the point the roadway reaches Nall, 63rd Street is south of the highway. The road is called Highway 50 east of Nall; although, Highway 50 is no longer correct.

In order to eliminate this confusion, I propose that the road be designated Shawnee Mission Parkway from K-7 Highway east to State Line. I feel it is essential that Johnson County make this change and hopefully, you will agree with me.

I have brought letters of endorsement from the other Johnson County mayors which I will distribute to you.

2/27/85
Attachment 1

STATE OF KANSAS

AUGUST BOGINA, JR., P. E.

SENATOR, TENTH DISTRICT
JOHNSON COUNTY
13513 WEST NINETIETH PLACE
LENEXA, KANSAS 66215



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS

CHAIRMAN: WAYS AND MEANS
MEMBER: GOVERNMENTAL ORGANIZATION
LOCAL GOVERNMENT
LEGISLATIVE POST AUDIT

February 7, 1985

Honorable Thomas A. Soetaert
Mayor
City of Shawnee
11110 Johnson Drive
Shawnee, KS 66203-2799

Dear Tony:

Representative David Louis will introduce the bill in the House of Representatives that will name Highway K-12 (10) as Shawnee Mission Parkway. By our mutual agreement it was decided that it would be proper to begin this measure in that body. When that bill passes over to the Senate, I will shepherd it through that body in order that we might have a timely passage of that measure through our legislature during this session.

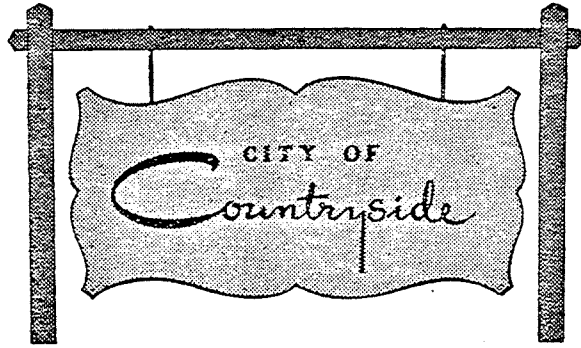
This bill should not be controversial to out-state legislators and is, as far as I can tell, acceptable to the entire Johnson County delegation. I believe that the proposal does have merit and do support the elimination of confusion and the multiplicity of names for this important traffic artery.

Sincerely,

A handwritten signature in cursive script, appearing to read "August Bogina, Jr.", written over the typed name.

AUGUST BOGINA, JR., P.E.
Senator, Tenth District

AB:dc



May 22, 1984

Thomas A. Soetaert, Mayor
City of Shawnee
11110 Johnson Drive
Shawnee, Kansas 66203

Dear Tony:

I have reviewed your May 9 letter regarding Highway 56, etc. with our City Council. There was unanimous agreement that your idea of having one name for this highway makes sense and we would do what we could to help implement such a plan. If the confusion that now exists regarding the names for this important highway can be eliminated, it would be a very positive step forward.

Please keep us advised of your future plans.

Best Regards,

A handwritten signature in cursive script, appearing to read "Stan".

Stan McCormack, Mayor

SM:bp

CITY OF FAIRWAY

5252 BELINDER ROAD
SHAWNEE MISSION, KANSAS 66205

NEALE R. PETERSON, MAYOR

September 6, 1984

Honorable Thomas A. Soetaert
Mayor of Shawnee
Shawnee City Hall
11110 Johnson Drive
Shawnee, Kansas 66203

Dear Mayor Tony:

As it appears, your effort to change the designation of Johnson Drive to Shawnee Mission Parkway has gained the support of many other involved cities. The Fairway City Council adopted a supportive resolution at its meeting on September 4.

Cordially,

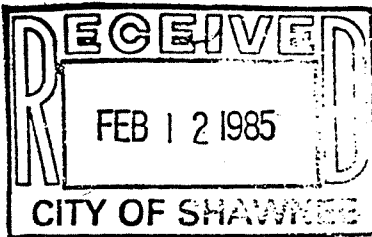


Neale R. Peterson
Mayor

NRP:ds

REGULAR COUNCIL MEETING
CITY OF MERRIAM, KANSAS
MINUTES
AUGUST 6, 1984

4



front of his property in order that he could make a turn from Antioch into his driveway.

It was the consensus of the Committee that this request to modify the median at 7100 Antioch be denied.

Now, therefore, COUNCILMAN CHATLAIN MOVED THAT THE COUNCIL UPHOLD THE RECOMMENDATION OF THE PUBLIC SAFETY COMMITTEE AND DENY THE REQUEST TO MODIFY THE MEDIAN LOCATED AT 71ST AND ANTIOCH AND SO INFORM THE APPLICANT WITH A CARBON COPY TO THE COUNTY ENGINEER, COUNTY COMMISSIONER JANET LEICK, AND STATE SENATOR NORMAN GAAR. UPON A CALL VOTE, THE MOTION WAS APPROVED UNANIMOUSLY.

- i. Councilman Chatlain advised that the Committee also reviewed a recommendation to rename 63rd Street as Shawnee Mission Parkway. The cities of Shawnee and Mission have approved this recommendation. This proposal was reviewed by the Safety Committee, whose members gave their complete support of the recommendation.

Now, therefore, COUNCILMAN CHATLAIN MOVED THAT THE GOVERNING BODY UPHOLD THE RECOMMENDATION OF THE PUBLIC SAFETY COMMITTEE, AND APPROVE A RESOLUTION OF INTENT TO DESIGNATE 63RD STREET FROM THE EAST CITY LIMITS TO THE WEST CITY LIMITS TO BE RENAMED AS "SHAWNEE MISSION PARKWAY", IF AND WHEN OTHER CITIES TAKE SIMILAR ACTION.

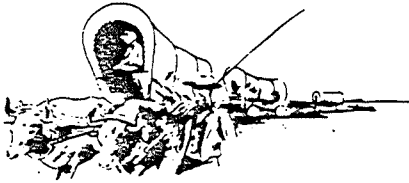
Discussion of the motion followed. Councilman Richards expressed concern that this action may perpetuate the idea that there is a city named Shawnee Mission.

Mr. Bob Bonebrake, 8301 West 63rd Street, noted that this proposal would also need the approval of the post office.

Mr. Andy Gharavi, 6927 Eby, expressed a problem with the words "Parkway" and suggested the words "Trafficway" would be more appropriate.

There being no further discussion, and UPON A CALL VOTE, THE MOTION WAS APPROVED UNANIMOUSLY.

- j. Councilman Chatlain advised that Shawnee



City of MISSION

City Hall - 6090 Woodson Road - Mission, Kansas 66202

Office of the Mayor 722-3685

May 29, 1984

Thomas A. Soetaert, Mayor
City of Shawnee
11110 Johnson Drive
Shawnee, Kansas 66203

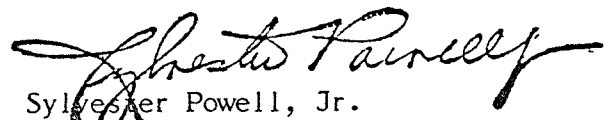
Dear Tony:

We like your idea of naming Highway 56, commencing at State Line, "Shawnee Mission Parkway". In fact, the Mission City Council unanimously adopted a Resolution supporting the naming of this Highway.

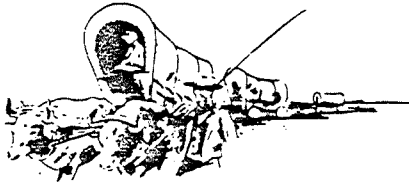
If there is anything I can do to assist you in overcoming the obstacles in getting this accomplished, please call me as I will be willing to help in any way I can.

We think it's a great idea and commend you for initiating this change of name.

Sincerely


Sylvester Powell, Jr.
Mayor

Encl.



City of MISSION

City Hall - 6090 Woodson Road - Mission, Kansas 66202

Office of the Mayor 722-3685

RESOLUTION

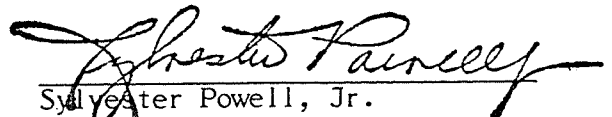
WHEREAS, There exists much confusion regarding the name of Highway 56 commencing at State Line west through Johnson County, Kansas and:

WHEREAS, There is a need for clarification of the name of this Highway and:

WHEREAS, The City supports the effort of Thomas A. Soetaert to re-name this street:

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS, that the City supports renaming that four lane roadway commonly known as K-10 Highway, Highway 56, Highway 50, Johnson Drive and or 63rd Street to Shawnee Mission Parkway from K-7 Highway east to State Line.

ADOPTED this 29th day of May, 1984, by the Governing Body of the City of Mission, Kansas.


Sylvester Powell, Jr.
Mayor

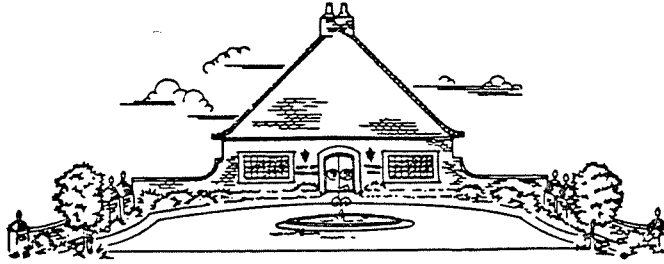
ATTEST:


Suzanne G. Gibbs
City Clerk

CITY OF MISSION HILLS

6300 STATE LINE ROAD
MISSION HILLS, KANSAS 66208
362-9620

CITY ADMINISTRATOR
RAY H. JOHNSON
DEPUTY CITY CLERK
FLORENCE OLDBERG



MAYOR
HOYT H. THOMPSON

CITY COUNCIL
BETTY LU DUNCAN
AL LANE
C. TED McCARTER
JACK W. ROBISON
CAROLE S. TINSMAN

CITY CLERK
WM. G. SCHAEFER

CITY TREASURER
EDWARD W. MEHRER, JR.

MUNICIPAL COURT JUDGE
THOMAS W. WAGSTAFF

May 22, 1984

Mayor Thomas A. Soetaert
City of Shawnee
11110 Johnson Drive
Shawnee, Kansas 66203

Dear Tom:

I agree wholeheartedly that the multiple names given to old Highway 50 are confusing and absolutely ridiculous.

My personal preference is to call the street Johnson Drive which is more meaningful and descriptive than Shawnee Mission Parkway. As you well know, "Shawnee Mission" is confusing by itself - is it the Indian Mission, a large post office, a school district, etc.?

Thank you for taking the lead on this subject.

Sincerely,

Hoyt H. Thompson

HHT:hew

cc: Ray H. Johnson

City of Mission Woods

5363 MISSION WOODS ROAD
SHAWNEE MISSION, KANSAS 66205

August 8, 1984

The Honorable Thomas A. Soetaert
City of Shawnee
11110 Johnson Drive
Shawnee, Kansas 66203

Re: Shawnee Mission Parkway proposal

Dear Tom:

I am remiss in getting back to you on this proposal to change the street name. Our council is in full agreement of record. We do believe it would be beneficial if all cities made the change at one time with whatever publicity we can obtain from the media.

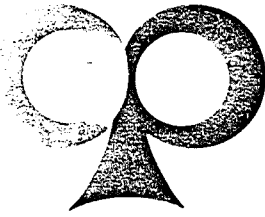
Please keep us informed of the other cities activities in this matter.

Yours very truly,



Robert C. Shopen
Mayor

RCS:md



August 21, 1984

The Honorable Thomas A. Soetaert
Mayor of Shawnee
11110 Johnson Drive
Shawnee, Kansas 66203-2799

Dear Tony:

I would suggest that we avoid designating Shawnee Mission Parkway as the new identifier for K-10, Shawnee Drive, etc. However, I think you have an excellent idea in working toward a uniform name for the thoroughfare as it transits the different cities.

My suggestion to you is Shawnee Parkway, a name which would recognize your city and where many of this county's early residents settled. The name would also give recognition to the Shawnee Indians and the Shawnee Indian Mission--and Shawnee Parkway would not confuse the roadway with a post office, school district, park, hospital and numerous commercial enterprises using Shawnee Mission in their names.

In our society it is appropriate to abide by the majority decision; however, I want you to know that in this case it would be done so reluctantly.

Best regards,

Ed Eilert
Mayor

EE:am



May 16, 1984

The Honorable Thomas A. Soetaert
Mayor, City of Shawnee
11110 Johnson Drive
Shawnee, Kansas 66203-2799

Dear Tony:

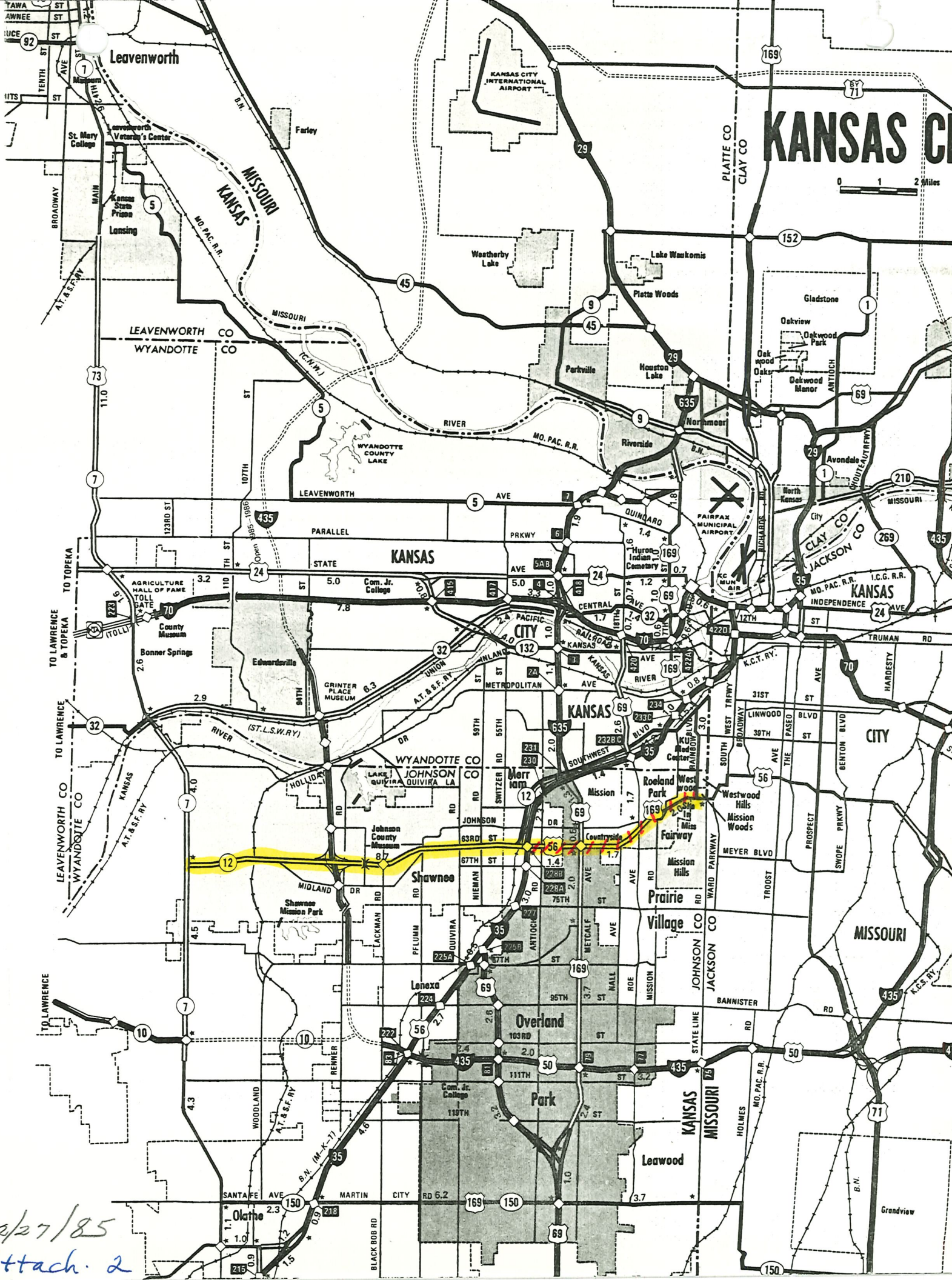
Your letter of May 9, 1984, requesting my concurrence with your suggestion to rename 63rd Street, K-10 Highway, Highway 50/56 and Johnson Drive to Shawnee Mission Parkway has been received and I concur with your suggestion that the name would be appropriate.

Please keep me advised as to the progress and, hopefully, all cities involved could agree upon your suggestion, pick a date for an official change, and hold ceremonies for the same.

Sincerely,

Joe D. Dennis
Mayor

JDD/dmj



2/27/85
 Attach. 2

State Department of Social and Rehabilitation Services

Statement Regarding H.B. 2437

1. Title -- An act relating to the display of goods on state highway right of way; concerning sale of products by blind persons; amending K.S.A. 68-432 and repealing the existing section.
2. Purpose -- The purpose of this bill is to amend K.S.A. 68-432, so that blind vendors licensed under K.S.A. 75-3339 and amendments thereto, can engage in the sale of merchandise within the right of way of any state highway, as long as these are conducted at a safe distance from the traveled way. In its present form, K.S.A. 68-432 does not permit display or sale of merchandise within the right of way of any state highway.
3. Background -- Federal law (P.L. 97-424) allows states to permit vending machines in safety rest areas on the right of way of the interstate highway system. State law currently does not permit this. Therefore, the vending stands program administered by the Division of Services for the Blind, Department of Social and Rehabilitation Services, is not permitted to place vending machines at selected rest areas along the interstate highway system in Kansas and loses opportunity for income that might be derived from such vending machines. This income could be used to enhance the operation of the vending stands program. The vending stands program requests permission to place vending machines as described above in order to conduct a one-year pilot project, to determine feasibility of having vending machines at these rest areas over the long term.
4. Effect of Passage -- The effect of passage will be that the vending stands program will be allowed to place vending machines at selected rest areas along the interstate highway system in Kansas, and will be able to derive income from sales of merchandise vended from the machines. That income will be used to support the operation of the vending stands program and will benefit blind persons employed in the program. The outcome of a one-year pilot project will be evaluated to determine long term feasibility.
5. SRS Recommendation -- Support H.B. 2437.

Office of the Secretary
Social and Rehabilitation Services
296-3271
February 27, 1985

2/27/85
Attachment 3

STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

TESTIMONY IN SUPPORT OF H.B. 2437

Mr. Chairman and members of the Committee: I am appearing today in support of H.B. 2437, which addresses the restrictions that K.S.A. 68-432 imposes on display and sale of merchandise within the right of way of any state highway. In its present form, K.S.A. 68-432 prevents the vending stands program of the Division of Services for the Blind from placing vending machines and deriving income from such machines at rest areas along the interstate highway system in Kansas.

RATIONALE -- Section III of the Surface Transportation Assistance Act of 1982 (PL 97-424) grants authority to individual state transportation departments to operate vending machines on interstate highway rest areas. States that decide to allow vending machines must give priority to machines operated by the blind through the designated State Licensing Agency pursuant to the Randolph-Sheppard Act (20 USC 107). In Kansas, the blind vendors are licensed under K.S.A. 75-3339 and amendments thereto. However, in Kansas, K.S.A. 68-432 prohibits display of merchandise for sale within the right of way of any state highway and thereby prohibits the vending stands program administered by the Division of Services for the Blind, Department of Social and Rehabilitation Services, from placing vending machines in the rest areas along the interstate highway system. The vending stands program loses opportunity for revenue from the vending machines. This potential revenue could support the operation of the vending stands program. Such revenue would contribute toward keeping the program a self-sufficient one, independent of Kansas tax revenue. Income derived from vending machines at interstate highway rest areas can be applied to operating expenses of the vending stands program. A one-year pilot project is planned in which vending machines will be placed at four rest areas. The results of the one-year pilot project will be used to determine continuation of the program.

INTENT -- The intent of H.B. 2437 is to permit the vending stands program for the blind to place vending machines at interstate highway rest areas, to earn income which can be applied toward operation of the vending stands program, and ultimately to strengthen the self-sufficiency of the blind persons employed in the program.

SUPPORTING INFORMATION -- Prior to the passage of P.L. 97-424, a three-year demonstration project was carried out in which automatic vending machines were placed at interstate highway rest areas in five states. The states were California, Connecticut, Georgia, Kentucky, and Massachusetts. The successful outcome of the demonstration project supported passage of P.L. 97-424. Subsequent to its enactment in 1982, twelve states have begun operation of automatic vending machines at interstate highway rest areas. These services are provided in two ways: either directly by the state agency through a blind vendor, examples of which are Florida and Texas; or secondly, by the state agencies' subcontracting with a private company to promote necessary equipment and services, such as occurs in Kentucky and Louisiana. Overall, the states report satisfaction with the operation and with the cost effectiveness of their programs. The states that participated in the three-year demonstration program found problems of litter and vandalism to be insignificant. Other

states that have implemented the programs since the three-year demonstration project, have insufficient experience to address adequately the issues of litter/vandalism. Initial implementation for a one-year pilot project conducted at four interstate highway rest areas is proposed for Kansas. Determination will then be made regarding continuation over the long term. The state is protected from liability through use of current program procedure, which is the requirement that all enterprises operated by the vending stands program maintain storekeeper's liability insurance with a combined single limit of \$500,000 and standard workers' compensation and employers' liability insurance. Private contractors that are used by the vending stands program to provide equipment and services are required to maintain the same liability insurance. Blind constituent and consumer groups which support the bill are the Kansas Association for the Blind and Visually Impaired, the National Federation of the Blind of Kansas, and the Randolph-Sheppard Vendors of Kansas, Inc.

SRS SUPPORT -- SRS supports H.B. 2437, because it provides opportunity for a new source of revenue for the vending stands program. This opportunity for additional revenue ultimately promotes the self-sufficiency of the blind persons who operate the vending stand program. I urge your passage of H.B. 2437.

Joan B. Watson, Commissioner
Rehabilitation Services
Social and Rehabilitation Services
296-3911
2-27-85

February 27, 1985

TO: House Transportation Committee

FROM: Debra Brummer, Registered Lobbyist
Randolph-Sheppard Vendors of Kansas Inc.
416 MacVicar
Topeka, Kansas 66606

SUBJECT: HB2437

I represent the Randolph-Sheppard Vendors of Kansas Inc. This is a not for profit corporation of licensed blind and visually impaired vendors operating restaurant facilities in the major population centers of Kansas. Licensure is through the Kansas Division of Services for the Blind as provided in K.S.A. 75-3339.

I stand in support of House Bill 2437. The Business Enterprises Program under the State Division of Services for the Blind is currently an extremely self-supporting program. Currently, through the administration of this program, 27 blind and visually impaired businesspersons operate restaurant facilities independently and successfully. They pay an assessment to the program in exchange for their locations, and the program thus uses no Kansas tax dollars. To the contrary, the vendors involved, have returned, over the past five years, in excess of \$250,000.00 to the state economy in the forms of income tax, sales tax etc. This program is thus a cost effective investment and should be maintained as same. Recently, a high assessment location, the St. Frances Hospital Cafeteria, Wichita, has been lost to the vending program. Thus to keep the assessment fund solvent, the program must seek new business endeavors. House Bill 2437 would allow opportunities to do so and thereby keep the assessment fund solid.

A number of other states have already moved to allow their blind vending facilities programs to establish vending machine locations on rights of way of intra-state highways. This is consistent with provisions of Section (3) of the Surface Transportation Assistance Act of 1982. Kansas needs to bring its state laws into compliance with this federal act. This idea of placing vending machines on highway locations has already been test piloted in several states and has proven to be a valued service to motorists and an essential source of income for the state business enterprises programs involved. Problems have proven to be extremely limited in reference to vandalism and litter.

Upon passage of this legislation, Kansas Division of Services for the Blind and Kansas Department of Transportation will be working jointly to implement the proposal attached to this document. Please note that this proposal, and the legislation itself, protects any agency or division of the state of Kansas from liability as the private contractor will be required to carry liability insurance and responsibilities, and will be responsible for any damages due to vandalism.

2/27/85
Attachment 4

PROPOSAL

FOR:

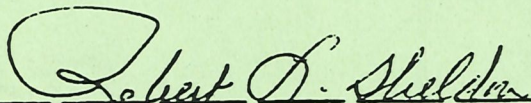
Automated Vending Machine Operation
Intra-State Highway Rest Areas
One Year Pilot Program

Kansas Department of Transportation
State Office Building
Topeka, Kansas

BY:

The Kansas Business Enterprise Program
Kansas Department of Social and Rehabilitation Services
Division of Services for the Blind and Visually Impaired

Kansas Business Enterprise Program
First Floor - Biddle Building
2700 West Sixth Street
Topeka, Kansas 66606
Phone (913) 296-4451



K.B.E.P. Program Supervisor

- A. 1. The Pilot Program shall commence operation on May 1, 1985 and terminate April 30, 1986.
2. Sixty (60) days prior to expiration of the Pilot Program, the Division of Services for the Blind shall notify the Department of Transportation by letter of its interest in extending the operation of vending machines on intra-state highway rest areas beyond the one-year Pilot Program.
3. This one year period does not preclude the Department of Transportation or the Division of Services for the Blind from terminating the Pilot Program at any time for good and sufficient cause.
4. The Division of Services for the Blind shall provide to the Department of Transportation a written quarterly report detailing revenue collected, positive or negative consumer comments received by the Division, vandalism reports from sub-contractors, other information as requested by the Department of Transportation relative to the Pilot Program.
- B. 1. The Division of Services for the Blind proposes location of automatic vending machines at: Newton, Abilene, Ottawa, and Olathe.
2. Machines to be placed on both traffic lanes at each rest area.
3. Machines shall be limited to one (1) canned soft drink vendor and one (1) snack candy vendor at each location.
4. The Division of Services for the Blind shall contract with local companies to provide equipment and service machines.
5. Each machine shall display consumer information relative to refunds, or registration of complaints. Department of Transportation not responsible. Machines will identify Division of Blind Services as operator.
- C. 1. The Division of Services for the Blind proposes the following schedule to meet with Department of Transportation officials to determine exact location of machines, construction requirements including electrical.
2. Week January 21 to 25 Abilene Rest Area.
Week January 28 to February 1 Newton Rest Area.
Week February 4 to 8 Ottawa and Olathe.
3. After determination per mutual agreement of need or lack of need to construct cement slabs, the Division of Services for the Blind shall initiate purchase orders to provide all services for the operation of vending machines at locations of the Pilot Program.
4. If necessary, cement slabs will be constructed beginning April 1, 1985. All electrical work will be accomplished same time schedule.

- D. 1. At all times during the term of this Pilot Program, the Division of Services for the Blind shall require the contractors providing automatic machines and services maintain adequate insurance to hold harmless the Department of Transportation for any claims arising from the operation of these machines and services.
2. Contractors shall be required to provide broad form comprehensive general liability insurance with a combined single limit of five hundred thousand dollars (\$500,000.00) covering the premises, medical payments, property, fire, legal liability, products liability, and all risk coverage for personal property.

Kansas Association for the Blind and Visually Impaired, Inc.

February 27, 1985

TO: House Transportation

FROM: Michael J. Byington, Registered Lobbyist

SUBJECT: HB 2437

The Kansas Association for the Blind and Visually Impaired Inc. stands in support of HB 2437. This bill would result in a new source of income for the Business Enterprises Program of the Kansas Division of Services for the Blind and the Randolph-Sheppard Vendors of Kansas Inc., both of which are authorized by K.S.A. 75-3337 et seq., while also providing a valuable service to the motorists of Kansas. This income is needed as the program has recently lost a location which paid a high assessment fee into the assessment fee fund.

The Business Enterprises Program of the Kansas Division of Services for the Blind and the Randolph-Sheppard Vendors of Kansas Inc. should be kept financially sound as this programming is one of the most cost effective in the state. It uses no Kansas tax dollars. It trains blind and visually impaired restaurant operators and provides them with locations. These operators in turn pay an assessment fee on a monthly basis back to the program as rent on their locations, and also, through their self-employment, pay taxes to the State of Kansas. A study done at the University of Kansas last year showed that, over the past five years, the Business Enterprises Program of the Kansas Division of Services for the Blind and the Randolph-Sheppard Vendors of Kansas Inc. have put over \$250,000.00 back into the Kansas economy through paid taxes etc.

HB 2437 would authorize the operation of vending machines along the rights of way of intra-state highways to benefit the Business Enterprises Program of the Kansas Division of Services for the Blind and the Randolph-Sheppard Vendors of Kansas Inc. This type of income producing program is authorized by the United States Surface Transportation Act of 1982, and has been implemented in several other states. It has proven successful in these states.

The process toward implementation of this program in Kansas has undergone much work already. At first the Division of Services for the Blind and the Department of Transportation were not working particularly well together; now, however, they are. This legislation is the last step in the process. Attached to this document, please find a resolution adopted by the Kansas Association for the Blind and Visually Impaired Inc. at its September, 1984 convention. This resolution gives a historical perspective of the issues dealt with through HB 2437. It shows the work and the progress which has taken

place first nationally, and then state-wide. It would indeed now be an embarrassment to the State of Kansas if this legislation does not now pass. Please report it favorably. Thank you.

Kansas Association for the Blind and Visually Impaired, Inc.

RESOLUTION 84-14

WHEREAS in 1978, the United States Congress, authorized a pilot demonstration program in five states in order to assess the feasibility of state blind vending programs operating vending machines in safety rest areas along interstate highway systems, and

WHEREAS findings from the above described demonstration program were analyzed in 1980 and the program was found to be successful and thus continued for two more years with expansion to include more states, and

WHEREAS the expanded program was again evaluated in 1982 and still found to be successful, and

WHEREAS the United States Congress therefore passed in, January of 1983, Public Law 97-424; Section III, Surface Transportation Assistance Act of 1982; Title XXIII of the U.S. Code; which allows states to permit the operation of vending machines in safety rest areas located on rights of way of interstate highway systems, and

WHEREAS, also in 1983, the U.S. Code of Federal Regulations 23-752.5 was amended to comply with Public Law 97-424, and further amended to state that state blind vending programs shall be given preference in the operation of vending machines on rights of way of interstate highways as is consistent with the Randolph-Sheppard Act, and

WHEREAS on October 11, 1983, Mr. Robert Sheldon, Kansas Division of Services for the Blind Business Enterprises Program Supervisor wrote Mr. Ed DeSoignie, Kansas Department of Transportation, informed him of the above specified changes in federal laws and regulations, and informed him of the Kansas Division of Services for the Blind's desire to work jointly with the Kansas Department of Transportation on rule making necessary to implement such programming in Kansas, and

WHEREAS, having received no response, Mr. Sheldon again wrote Mr. DeSoignie on January 11, 1984 restating the Kansas Division of Services for the Blind's desire to work with the Kansas Department of Transportation to implement this programming in Kansas, informing Mr. DeSoignie that consumer organizations in Kansas were becoming increasingly interested in this programming due to the positive economic effects it potentially could have for the Kansas Business Enterprises program, and asking for a detailed account of actions or non-actions being taken by the Kansas Department of Transportation in reference to this issue, and

WHEREAS on January 25, 1984, Ms. Nancy Zielke-Bigsby, Policy Coordinator, responded to Mr. Sheldon's letter informing him that the Kansas Department of transportation was assessing materials from the pilot demonstration program to determine both the positive and negative effects of such programming, and informing Mr. Sheldon that his further input would be sought, and

WHEREAS no action has taken place on this issue since January 1984,

THEREFORE BE IT RESOLVED that the Kansas Association for the Blind and Visually Impaired Inc., in Convention assembled, Holiday Inn, Hays, Kansas, September 22nd, 1984, directs its Legislative Committee to work with the Kansas Division of Services for the Blind and the Kansas Department of Transportation to assure implementation of a system whereby the Kansas Business Enterprises program will be authorized to operate vending machines on rights of ways of interstate highways located in Kansas

BE IT FURTHER RESOLVED that copies of this resolution shall be sent to: Governor John Carlin; Mr. Bob Wooten of the Governor's staff; Mr. Larry D. Morlan, Chief, Management and Budget, Kansas Department of Transportation; Ms. Nancy Zielke-Bigsby, Policy Coordinator, Kansas Department of Transportation; Mr. Ed DeSoignie, Kansas Department of Transportation; Dr. Robert C. Harder, Executive Secretary, Kansas Department of Social and Rehabilitation Services; the Commissioner of Rehabilitation Services; Dr. Richard Schutz, Director, Kansas Division of Services for the Blind; and Mr. Robert Sheldon, Supervisor, Kansas Division of Services for the Blind.

KANSAS DEPARTMENT OF TRANSPORTATION

STATE OFFICE BUILDING—TOPEKA, KANSAS 66612



JOHN B. KEMP, Secretary of Transportation

JOHN CARLIN, Governor

MEMORANDUM TO: HOUSE TRANSPORTATION COMMITTEE

REGARDING: HOUSE BILL 2437

FROM: EDWARD R. DESOIGNIE
POLICY COORDINATOR

DATE: FEBRUARY 27, 1985

SECTION III OF THE 1982 SURFACE TRANSPORTATION ASSISTANCE ACT (STAA) PERMITS THE INSTALLATION OF VENDING MACHINES IN SAFETY REST AREAS AND RECREATIONAL AREAS ON THE INTERSTATE HIGHWAY SYSTEM. ACCORDING TO THE PROVISIONS OF THE ACT, THE VENDING MACHINES MAY DISPENSE FOOD, DRINK, AND OTHER ARTICLES AS THE SECRETARY OF TRANSPORTATION (STATE) DETERMINES NECESSARY TO ASCERTAIN THE NEED FOR AND DESIRABILITY OF THIS SERVICE TO THE TRAVELING PUBLIC. THE STAA ALSO PROVIDES THAT THE STATE MUST GIVE PRIORITY TO VENDING MACHINES OPERATED BY THE BLIND THROUGH THE STATE LICENSING AGENCY (DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES) DESIGNATED PURSUANT TO THE RANDOLPH-SHEPPARD ACT (RSA), 20 U.S.C. 107.

DEVELOPMENT OF A PILOT PROGRAM BETWEEN THE KANSAS DEPARTMENT OF TRANSPORTATION AND THE KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES HAS BEEN HALTED AS A RESULT OF THE STATUTORY PROHIBITIONS CONTAINED IN K.S.A. 68-432. HOUSE BILL 2437 WOULD PERMIT THE PILOT PROGRAM TO PROCEED.

THE DEPARTMENT WOULD REQUEST AMENDING THE BILL TO SPECIFY THAT SUCH SALES MAY BE MADE ONLY AT THOSE LOCATIONS AND UNDER SUCH CONDITIONS AS AUTHORIZED BY THE SECRETARY OF TRANSPORTATION. AS PRESENTLY DRAFTED, THE AMENDED LANGUAGE ON LINES 27 THROUGH 29 OF THE BILL MAY BE SUBJECT TO BROAD INTERPRETATION.

2/27/85
Attach. 6

STATE OF KANSAS

KATHRYN SUGHRUE
REPRESENTATIVE 116TH DISTRICT
FORD COUNTY
1809 LA MESA DRIVE
DODGE CITY, KANSAS 67801



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER FEDERAL AND STATE AFFAIRS
ENERGY AND NATURAL RESOURCES
GOVERNMENTAL ORGANIZATION

February 27, 1985

Mr. Chairman and members of the Transportation Committee

H.B. 2207 concerns registration and insurance of recreation vehicles.

This bill would permit a recreation vehicle (used less than 6 months of the year) to be registered as a passenger vehicle with a registration fee equal to one-half of the fee for a passenger vehicle of equal gross weight. In addition, they shall not be subject to insurance requirements during the part of the year when not in use.

There are 21,657 vehicles registered as passenger vehicles - $\frac{1}{2}$ years registration would be \$13.

There are 1,902 vehicles registered as trucks - $\frac{1}{2}$ years registration would be \$12.50.

2/27/85
Attachment 7



House Bill No. 2207

Mr. Chairman and members of the transportation committee I thank you for giving me the opportunity to speak to you about a subject that concerns many people of Kansas. It is about H. B. 2207 of which I support.

Most people who own motorized recreational vehicles do not use them but for a small fraction of the year, yet have to pay unjust insurance on them while setting idle. This is the feeling of all those to whom I have talked.

It is also felt that taking your drivers license away, if you do not carry insurance on said vehicle while not in use is unjust and unfair.

Those who let their vehicles set out felt that some insurance should be continued to cover such things as vandalism and storm damage while others who had their units shedded did not see any need of any insurance during that time. This decision should be optional with the owner.

My attention has also been brought to the fact that there also needs consideration of short time insurance on motor cycles, boats and trucks, especially farm trucks that are used from a few weeks to a few months out of the year.

We feel that some guidelines need to be made that will be fair and just to all who use these seasonable motor units that will abolish or limit the insurance coverage while not in use.

The following statements are from those I have been able to contact, all of which are in favor of H. B. 2207 and I trust you will also support H. B. 2207.

2/27/85
Attachment 8

"We have a 24-foot Monaco motorhome which we use only during the summer months. Our tags run over \$100 a year and our insurance runs \$160 a year. We would like to have our insurance prorated to our use."

William & Pauline Barnes
2422 Melencamp
Dodge City, KS 67801
316-227-6647

"Our motor home is a 1973 Winnebago, 23 foot. Our insurance costs us \$197 per year, for usage during the following months: March-September. I would like to see RV proration rates available."

Mr. & Mrs. Joe Dunham
2300 Melencamp
Dodge City, KS 67801
316-225-1518

"'75 Itaska motor home. Unused nine months a year. Yearly insurance \$320 per year. Tag \$75 to \$80 a year."

Charles W. & J. Juanita
Foulks
225-5736

"I pay over \$1200 per year on insurance and use them about six months a year. All trucks have 6000 mile tags "6 trucks" (farm trucks)."

Don Costillo
821 14th Street
Dodge City, KS 67801
227-8882

"Used four to five months per year. Insurance costs \$280. Tag and insurance approximately \$120. Insurance similar to some motorcycle insurance and antique auto--covered only when used during summer months."

John G. Herman
1901 Hart
Dodge City, KS 67801
225-0758

"Our camper sits for nine months out of the year. We pay \$150 for this three months' usage. I would be in favor of legislation that would prorate insurance for the time it is used."

Sandra & Chuck Bish
2810 Meadowlark
Dodge City, KS 67801
316-227-8979

"Reference: House Bill No. 2207. In support of this bill I am enclosing data to show needed changes in existing laws: My recreational vehicles are used no more than $\frac{1}{4}$ the average time as compared to family vehicles. I feel this is unfair and unrealistic to expect general public to pay full annual rates for a vehicle to sit and not do damage to roads or exposed to other vehicles for safety sake. I am in favor of insurance coverage to be available on a time basis of per month request and then insurance companies to bill customer on a requested month's equivalent rate. This would provide coverage and yet be fair to owners. My annual insurance cost approximately \$175 per year. I feel a fair fee would be a monthly charge billed on an annual bill. Thank you."

L. D. Gemaehlich
2220 Howell
Dodge City, KS 67801
316-227-8478

"We have a 23-foot Jayco Mini Home. The insurance runs about \$300 a year and the tag runs \$26. We use our camper from May 30 through September, but our insurance and tags are for the full year. We would like our insurance and tags prorated according to use."

Dale L. & Louetta M. Meyers
1501 9th
Dodge City, KS 67801
227-6363

"We have a 27-foot Class A motor home which sits at the house most of the time and which requires insurance all the time. Would be a lot cheaper for us if we could furnish coverage, both liability and physical damage, only when used."

John & Peg Burbank
302 University
Dodge City, KS 67801
227-6250

"We have a 26-foot Winnebago. The insurance runs around \$140 a year. Our tag is \$26 a year. We would like our insurance prorated according to use. We use our motor home from April until November. We have State Farm Insurance."

Duane & Joan Baugher
227-6922

"I have an Itasco motor home and as a rule it sits unused from the middle of November to the middle of March each year. I feel we should have some relief for insurance during this idle period as all it does is keep the tag valid. I would favor a part-time tag or some such arrangement since I pay around \$450 a year total insurance."

Martin L. Swisher
Box 266
Coldwater, KS 67029

To: HOUSE TRANSPORTATION
From: MARY P. LADESIC - WYANDOTTE COUNTY TREASURER
Re: HOUSE BILL 2207

MR. CHAIRMAN AND HONORABLE MEMBERS OF THE TRANSPORTATION COMMITTEE,
THANK YOU FOR ALLOWING ME THE OPPORTUNITY TO APPEAR BEFORE YOU
TODAY.

I AM HERE ON BEHALF OF THE TREASURER'S ASSOCIATION IN OPPOSITION
TO HOUSE BILL 2207 FOR THE FOLLOWING REASONS. THIS BILL IS VAGUE
AND AMBIGUOUS IN THAT IT FAILS TO PROVIDE A CLEAR AND PRECISE
DEFINITION AS TO WHAT WILL BE CONSIDERED A RECREATIONAL VEHICLE.
ALSO IT DOES NOT ADDRESS REGULATIONS OR SPECIFIC TIME SCHEDULES.

WE CAN'T BEGIN TO SPECULATE WHAT WOULD BE AN APPROPRIATE SIX
MONTH REGISTRATION PERIOD AS EACH INDIVIDUALS USAGE WOULD VARY.
THERE ARE TWO TYPES OF REGISTRATION; THOSE WHICH ARE RENEWED
EACH YEAR BETWEEN JANUARY 1 AND FEBRUARY 15 AND THOSE THAT ARE
ON THE STAGGERED BASIS BY ALPHABET.

THE FOLLOWING QUESTIONS MUST BE TAKEN INTO CONSIDERATION:

WHO WOULD MONITOR THE ACTUAL MONTHS THESE VEHICLES ARE IN USE?

HOW WOULD YOU DISTINGUISH WHETHER A VEHICLE WAS REGISTERED FOR
THE ENTIRE YEAR OR SIX MONTHS?

IF AN INDIVIDUAL IS ALLOWED TO PAY ONE HALF OF THE REGISTRATION,
ARE THEY ONLY ASSESSED FOR ONE HALF OF PERSONAL PROPERTY TAXES?

ALSO, THERE IS NO POSSIBLE WAY TO ASSESS PROPERTY TAX ON TWO TYPES
OF USAGE DURING THE SAME PERIOD OF TIME. IF THIS WERE THE CASE,
BOTH STATE AND LOCAL UNITS OF GOVERNMENT WOULD SUFFER A SUBSTANTIAL

2/27/85
Attach. 9

LOSS IN REVENUE. AT THE PRESENT TIME THERE ARE STATUTES WHICH WOULD ALLOW VEHICLES TO BE PLACED ON NON-HIGHWAY TITLES FOR STORAGE PURPOSES. THIS EXEMPTS INSURANCE REQUIREMENTS. THE DISMISSAL OF INSURANCE REQUIREMENTS PROVIDED IN HOUSE BILL 2207 WOULD FORCE MORE HANDLING OF EACH LICENSE AND ADDITIONAL COMPUTATIONS OF RATES AND COVERAGE OF INSURANCE. FAILURE TO COMPLY WITH CONTINUOUS CHANGES IN INSURANCE MIGHT RESULT IN TREMENDOUS PERSONAL LOSSES TO TAXPAYERS DUE TO THE LACK OF PROPER COVERAGE. LENDING INSTITUTIONS REQUIRE FULL COVERAGE ON VEHICLES FINANCED BY THEM. ONLY VEHICLES OWNED OUTRIGHT WOULD BE ELIGIBLE TO BENEFIT FROM THIS LEGISLATION.

THIS BILL DOES NOT ADDRESS THE BASIC FACTORS UNDERLYING THE OPERATION OF LICENSE PROCEDURES. IT LACKS THE FIVE W'S OF REASONING - WHO, WHAT, WHEN, WHERE AND WHY.

IN THIS COMMITTEE'S FINAL EVALUATION OF HOUSE BILL 2207, WE ASK THAT YOU REPORT IT ADVERSELY.