

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by Sen. Bill Morris at
Chairperson

9:00 a.m./~~p.m.~~ on February 19, 1985 in room 254-E of the Capitol.

All members were present ~~except~~.

Committee staff present:

Hank Avila, Research Department
Fred Carman, Revisor
Louise Cunningham, Secretary

Conferees appearing before the committee:

Sgt. Bill Jacobs, Kansas Highway Patrol
Sen. J. Norvell
Sen. R. Frey
Sen. J. Francisco
Mr. Kelly Wendeln, Chanute

On a motion from Sen. Francisco and a second from Sen. Martin, the Minutes of February 14, 1985 were approved. Motion carried.

INTRODUCTION OF BILLS

The Chairman had received a request from the Trash Haulers' Association to introduce a bill which would permit the haulers to go across certain highways in order to get to their trash dumps.

A member of the committee said there would be objection if this included manure or refuse from feed lots.

A motion was made by Sen. Walker to introduce the proposed legislation, copy attached, (Attachment 1) as a committee bill. Motion was seconded by Sen. Martin. Motion carried.

Sgt. Bill Jacobs, Kansas Highway Patrol, requested introduction of a bill which would raise the fines on violators of gross weight on trucks. If violators are caught they are now fined \$35, but the fine is much higher on bridges. With the \$35 fine violators risk getting caught because the fine is too low. They were requesting a stricter law for violators. A copy of the proposed bill is attached. (Attachment 2).

A motion was made by Sen. Frey and seconded by Sen. Vidricksen to introduce the bill as a committee bill. Motion carried.

HEARING ON:

S.B. 151 - Increase of maximum speed limits on controlled highways under certain conditions.

Sen. Norvell said this was a triggering devise to increase the speed on Kansas highways should the federal government remove the current speed limit. This is currently under consideration in Washington. He felt a law should be on the Kansas books in case a federal law should pass. The current speed limits are not realistic and are not enforced. A copy of his statement is attached. (Attachment 3).

Sen. Frey also spoke in support of the bill. He said it was not a partisan issue and the current speed limit causes problems in western Kansas. He said a whole generation of Kansans now have no respect for the current law because the 55 mile speed limit is not enforced. There is a variation on what different law officers will allow. Fuel economy is no longer an issue, with the automobiles being more fuel efficient. He said the passage of a mandatory seat belt law would be a greater factor in saving lives than the speed limit.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,
room 254-E, Statehouse, at 9:00 a.m./~~p.m.~~ on February 19, 1985

Kelly Wendeln, Chanute, spoke in favor of raising the speed limit. He said other countries had much higher speed limits than the U.S. and yet our highways were built for more speed and safety than European roads. He submitted a copy of Continental Speed Limits dated May/June 1981 and State Automobile Speed Limits dated 1974 which showed much higher speed limits. A copy is attached. (Attachment 4).

Mr. Wendeln also submitted an article from the Wichita Eagle dated September 17, 1974 which stated that in England when the speed limits were increased to 70 m.p.h., as they were before the petroleum shortage, the accident rate did not increase. A copy of this article is attached. (Attachment 5).

Mr. Wendeln submitted an article from the Wichita Eagle dated April 11, 1981 in which the Nevada Legislature approved a \$5.00 fine for speeding up to 70 m.p.h. A copy of this article is attached. (Attachment 6).

Mr. Wendeln was questioned as to how many times he had been arrested in Kansas for exceeding the speed limit and he said about twelve times.

S.B. 209 - Concerning speed limits on highways.

Sen. Francisco said his bill was very similar to S.B. 151. He said however, the speed limit would remain at 55 for trucks. He said this was at the request of the motor carriers. He said the increased speed would be better for driving on the turnpikes and the flat areas of western Kansas.

The Department of Transportation submitted a memorandum expressing concern with the bills because they would establish the maximum speed by statute and this was a departure from the current provision which authorizes the Secretary of Transportation to establish the maximum speed limit by resolution. They would also permit different types of vehicles to travel at different speeds. A copy of the memorandum dated February 19, 1985 is attached. (Attachment 7).

Meeting was adjourned at 9:50 a.m.

SENATE TRANSPORTATION & UTILITIES COMMITTEE

Date 2-19-85 Place 254-E Time 9:00 a.m.

GUEST LIST

PLEASE PRINT

NAME

ADDRESS (City)

ORGANIZATION

KELLY WENDELN	Chanute	
MARK EGGOLD	Topeka	
RICHARD SCHLEGEL	MANHATTAN	ABATE of Ks., Inc.
Tom Whitaker	TOPEKA	Ks Motor Carriers Assn
PAUL R. GUEVARA	Topeka	KDOT
Shacie Mathur		sen. walter office
John W Smith	Topeka	Dept of Revenue
BILL JACOBS	TOPEKA	KHP

SENATE BILL NO. _____

By Committee on Transportation and Utilities

AN ACT concerning motor vehicles; axle weight limitations; exemptions; amending K.S.A. 8-1901 and repealing the existing section.

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

Section 1. K.S.A. 8-1901 is hereby amended to read as follows: 8-1901. (a) It shall be unlawful for any person to drive or move or for the owner or lessee to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles of a size or weight exceeding the limitations stated in article 19 of chapter 8 of Kansas Statutes Annotated or otherwise in violation of this article, and the maximum size and weight of vehicles herein specified shall be lawful throughout this state, and local authorities shall have no power or authority to alter said limitations except as express authority may be granted in this article.

(b) Any person violating any of the provisions of article 19 of chapter 8 of the Kansas Statutes Annotated, except for the provisions of K.S.A. 8-1908 and 8-1909 and amendments thereto, shall, upon conviction thereof, be fined in an amount not to exceed ~~five-hundred-dollars-(\$500)~~ \$500.

(c) Any person violating any of the provisions of K.S.A. 8-1908 or 8-1909, shall, upon a first conviction thereof, be fined the applicable following amount from one, but not both of the following schedules for moving a gross vehicle or combination of vehicles weight in excess of the lawful maximum gross weight for such vehicle or combination of vehicles or for any axle or tandem, triple or quad axles thereof:

GROSS WEIGHT OF VEHICLE
OR COMBINATION

2/19/85
ATT. ①

For each violation of any gross weight limitation of a vehicle or combination of vehicles, an amount equal to the amount determined by applying the following schedule for each pound in excess of the lawful limit:

<u>Pounds Overweight</u>	<u>Rate of Fine</u>
up to 1000.....	\$25.00
1001 to 2000.....	.3¢ per pound
2001 to 5000.....	.5¢ per pound
5001 to 7500.....	.7¢ per pound
7501 and over.....	1.0¢ per pound

GROSS WEIGHT ON ANY AXLE

OR TANDEM, TRIPLE OR QUAD AXLES

For each violation of any gross weight limitation on any axle or tandem, triple or quad axles, an amount equal to the amount determined by applying the following schedule for each pound in excess of the lawful gross weight:

<u>Pounds Overweight</u>	<u>Rate of Fine</u>
up to 1000.....	\$25.00
1001 to 2000.....	.3¢ per pound
2001 to 5000.....	.5¢ per pound
5001 to 7500.....	.7¢ per pound
7501 and over.....	1.0¢ per pound

For a second violation of this subsection (c), within two years after a prior conviction of this subsection, such person, upon conviction shall be fined 1 1/2 times the applicable amount from one, but not both, of the above schedules. For a third violation of this subsection (c) within two years, after two prior convictions of this subsection, such person, upon conviction shall be fined two times the applicable above amount from one, but not both, of the above schedules. For a fourth and each succeeding violation of this subsection (c) within two years after three prior convictions of this subsection, such person, upon conviction shall be fined 2 1/2 times the applicable above amount from one, but not both, of the above schedules.

(d) Except as otherwise specifically provided in this act,

the provisions of article 19 of chapter 8 of Kansas Statutes Annotated governing size, weight and load shall not apply to fire apparatus, road machinery, farm tractors or to implements of husbandry temporarily moved upon a highway, or to a vehicle operated under the terms of a currently valid special permit issued in accordance with K.S.A. 8-1911 and any amendments thereto. Except on highways designated as part of the national system of interstate defense highways, the gross weight limitation prescribed by article 19 of chapter 8 of Kansas Statutes Annotated on any axle or tandem, triple or quad axles shall not apply to trucks specifically designed and equipped and used exclusively for garbage, refuse or solid waste disposal operations when loaded with garbage, refuse or waste.

(e) As used in this section, "conviction" means a final conviction without regard to whether sentence was suspended or probation granted after such conviction, and a forfeiture of bail, bond or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, is equivalent to a conviction.

Sec. 2. K.S.A. 8-1901 is hereby repealed.

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

(2)

Section 1. K.S.A. 8-142 is hereby amended to read as follows: 8-142. It shall be unlawful for any person to commit any of the following acts:

First: To operate, or for the owner thereof knowingly to permit the operation, upon a highway of any vehicle, as defined in K.S.A. 8-126, which is not registered, or for which a certificate of title has not been issued or which does not have attached thereto and displayed thereon the number plate or plates assigned thereto by the division for the current registration year, including any registration decal required to be affixed to any such number plate pursuant to K.S.A. 8-134, subject to the exemptions allowed in K.S.A. 8-135, 8-198 and 8-1751a and any amendments thereto.

Second: To display or cause or permit to be displayed, or to have in his or her possession, any registration receipt, certificate of title, registration number plate, or registration decal knowing the same to be fictitious or to have been canceled, revoked, suspended or altered.

Third: To lend to or knowingly permit the use by one not entitled thereto any registration receipt, certificate of title, registration number plate or registration decal issued to the person so lending or permitting the use thereof.

Fourth: To fail or refuse to surrender to the division, upon demand, any registration receipt, certificate of title, registration number plate or registration decal which has been suspended, canceled or revoked as in this act provided.

Fifth: To use a false or fictitious name or address in any application for a certificate of title, the registration of any vehicle or for any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in any such application.

Sixth: For the owner of a motor vehicle to file application for the registration thereof, in any county other than the county in which the owner of the vehicle resides or has a bona fide place of business, which place shall not be an office or facility established or maintained solely for the purpose of obtaining registration.

Seventh: To operate on the highways of this state a vehicle or combination of vehicles whose weight with cargo is in excess of the gross weight for which the truck or truck tractor propelling the same is registered, except as provided by K.S.A. 8-143 and subsections (a) to (f), inclusive, of K.S.A. 8-1911, or any amendments thereto.

Any person violating this provision shall, upon a first conviction thereof, be fined the applicable amount from the following schedule:

2/19/85
ATT. (2)

REGISTERED GROSS WEIGHT

For each violation of any registered gross weight limitation of a vehicle or combination of vehicles, an amount equal to the amount determined by applying the following schedule for each pound in excess of the lawful registered gross weight limit:

<u>Pounds Overweight</u>	<u>Rate of Fine</u>
<u>up to 1000.....</u>	<u>\$25.00</u>
<u>1001 to 2000.....</u>	<u>3 per pound</u>
<u>2001 to 5000.....</u>	<u>5 per pound</u>
<u>5001 to 7500.....</u>	<u>7 per pound</u>
<u>7501 and over</u>	<u>10 per pound</u>

For a second violation of this provision, within two years after a prior conviction of this provision, such person, upon conviction shall be fined 1 1/2 times the applicable amount from the above schedule. For a third violation of this provision within two years, after two prior convictions of this provision, such person, upon conviction shall be fined two times the applicable above amount from the above schedule. For a fourth and each succeeding violation of this provision within two years after three prior convictions of this provision, such person, upon conviction shall be fined 2 1/2 times the applicable above amount from the above schedule.

As used in this provision, "conviction" means a final conviction without regard to whether sentence was suspended or probation granted after such conviction, and a forfeiture of bail, bond or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, is equivalent to a conviction.

Eighth: To operate a local truck or truck tractor which is registered for a gross weight of more than eight thousand (8,000) pounds as a common or contract carrier outside a radius of three (3) miles beyond the corporate limits of the city or village in which such vehicle was based when registered and licensed or to operate any other local truck or truck tractor licensed for a gross weight of more than eight thousand (8,000) pounds outside a radius of twenty-five (25) miles beyond the corporate limits of the city or village in which such vehicle was based when registered and licensed, except as provided in subsection (2) of K.S.A. 8-143 or as provided in K.S.A. 8-143i.

Ninth: To operate on the highways of this state a farm truck or farm trailer other than to transport: (a) Agricultural products produced by such owner; (b) commodities purchased by the owner for use on the farm owned or rented by the owner of such vehicles; (c) commodities for religious or educational institutions being transported by the owner of such vehicles for charity and without compensation of any kind, except as provided in subsection (c) of K.S.A. 66-1,109, or any amendments thereto; or (d) sand, gravel, slag stone, limestone, crushed stone, cinders, black top, dirt or fill material to a township road maintenance or construction site of the township in which the owner of such truck resides.

Tenth: To operate on the highways of this state any truck or truck tractor without the current quarter of license fees being paid thereon.

Eleventh: To operate on the highways of this state a truck or truck tractor without carrying in the cab a copy of the registration receipt for such vehicle or without having painted or otherwise durably marked on said vehicle on both sides thereof, the gross weight for which said vehicle is licensed and the name and address of the owner thereof, except as provided in K.S.A. 8-143e, or any amendments thereto.

Twelfth: To operate on the highways of this state a farm trailer carrying more than six thousand (6,000) pounds without the same being registered and the registration fees paid thereon.

Thirteenth: To operate more than six thousand (6,000) miles in any calendar year any truck or truck tractor which has been registered and licensed to operate not more than six thousand (6,000) miles in such calendar year, as provided in subsection (2) of K.S.A. 8-143, unless the additional fee required by said subsection (2) has been paid.

Fourteenth: For any owner who has registered a truck or truck tractor on the basis of operating not more than six thousand (6,000) miles to fail to keep the records required by the director of vehicles, or to fail to comply with rules and regulations of the secretary of revenue relating to such registration.

Sec. 2. K.S.A. 1984 Supp. 8-2107 is hereby amended to read as follows:
8-2107. (a) (1) Notwithstanding any other provisions of the uniform act regulating traffic on highways, when a person is stopped by a police officer for any of the offenses described in subsection (e) and such person is not immediately taken before a judge of the district court, the police officer may require the person stopped, subject to the provisions of subsection (c), to deposit with the officer a valid Kansas driver's license in exchange for a receipt therefor

issued by such police officer, the form of which shall be approved by the division of vehicles. Such receipt shall be recognized as a valid temporary Kansas driver's license authorizing the operation of a motor vehicle by the person stopped until the date of the hearing stated on the receipt. The driver's license and a written copy of the notice to appear shall be delivered by the police officer to the court having jurisdiction of the offense charged as soon as reasonably possible. If the hearing on such charge is continued for any reason, the judge may note on the receipt the date to which such hearing has been continued and such receipt shall be recognized as a valid temporary Kansas driver's license until such date, but in no event shall such receipt be recognized as a valid Kansas driver's license for a period longer than 30 days from the date set for the original hearing. Any person who has deposited a driver's license with a police officer under this subsection (a) shall have such license returned upon final determination of the charge against such person.

(2) In the event the person stopped deposits a valid Kansas driver's license with the police officer and fails to appear in the district court on the date set for appearance, or any continuance thereof, and in any event within 30 days from the date set for the original hearing, the court shall forward such person's driver's license to the division of vehicles with an appropriate explanation attached thereto. Upon receipt of such person's driver's license, the division shall suspend such person's privilege to operate a motor vehicle in this state until such person appears before the court having jurisdiction of the offense charged, the court makes a final disposition thereof and notice of such disposition is given by the court to the division. No new or duplicate license shall be issued to any such person until such notice of disposition has been received by the division. The provisions of K.S.A. 8-256 and amendments thereto, limiting the suspension of a license to one year, shall not apply to suspensions for failure to appear as provided in this subsection (a).

(b) No person shall apply for a duplicate or new driver's license prior to the return of such person's original license which has been deposited in lieu of bond under this section. Violation of this subsection (b) is a class C misdemeanor. The division may suspend such person's driver's license for a period of not to exceed one year from the date the division receives notice of the disposition of the person's charge as provided in subsection (a).

(c) (1) In lieu of depositing a valid Kansas driver's license with the stopping police officer as provided in subsection (a), the person stopped may elect to give bond in the amount specified in subsection (e) for the offense for

which the person was stopped. When such person does not have a valid Kansas driver's license, such person shall give such bond. Such bond shall be subject to forfeiture if the person stopped does not appear at the court and at the time specified in the written notice provided for in K.S.A. 8-2106 and amendments thereto.

(2) Such bond may be a cash bond, a bank card draft from any valid and unexpired credit card approved by the division of vehicles or a guaranteed arrest bond certificate issued by either a surety company authorized to transact such business in this state or an automobile club authorized to transact business in this state by the commissioner of insurance. If any of the approved bank card issuers redeem the bank card draft at a discounted rate, such discount shall be charged against the amount designated as the fine for the offense. If such bond is not forfeited, the amount of the bond less the discount rate shall be reimbursed to the person providing the bond by the use of a bank card draft. Any such guaranteed arrest bond certificate shall be signed by the person to whom it is issued and shall contain a printed statement that such surety company or automobile club guarantees the appearance of such person and will, in the event of failure of such person to appear in court at the time of trial, pay any fine or forfeiture imposed on such person not to exceed an amount to be stated on such certificate.

(3) Such cash bond shall be taken in the following manner: The police officer shall furnish the person stopped a stamped envelope addressed to the judge or clerk of the court named in the written notice to appear and the person shall place in such envelope the amount of the bond, and in the presence of the police officer shall deposit the same in the United States mail. After such cash payment, the person stopped need not sign the written notice to appear, but the police officer shall note the amount of the bond mailed on the notice to appear form and shall give a copy of such form to the person. If the person stopped furnishes the police officer with a guaranteed arrest bond certificate or bank card draft, the police officer shall give such person a receipt therefor and shall note the amount of the bond on the notice to appear form and give a copy of such form to the person stopped. Such person need not sign the written notice to appear, and the police officer shall present the notice to appear and the guaranteed arrest bond certificate or bank card draft to the court having jurisdiction of the offense charged as soon as reasonably possible.

(d) When any motor carrier, truck or truck tractor is stopped by an agent or employee of the department of revenue authorized under K.S.A. 8-1910 or 66-1319 and amendments thereto to stop such motor carrier, truck or truck tractor for any violations described in subsection (e) which relate to the regulation of motor carriers, trucks or truck tractors, such agent or employee may require the driver of the motor carrier, truck or truck tractor so stopped to give a driver's license or bond in the same manner and to the same extent as in subsections (a) and (c).

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

Reckless driving.....	\$65
Failure to comply with lawful order of officer.....	40
<u>Registration violation (except violation of provision of</u>	
<u> K.S.A. 8-142(7), Operation in Excess of Maximum Registered</u>	
<u> Gross Weight.....</u>	<u>35</u>
<u>Registered maximum gross weight violation.....</u>	<u>an amount equal</u>
	<u>to the fine plus</u>
	<u>docket fee</u>
	<u>to be imposed if</u>
	<u>convicted</u>
No driver's license for the class of vehicle operated	
or violation of restrictions	35
Spilling load on highway.....	35
Overload:	
Gross weight of vehicle or	
combination of	
vehicles	an amount equal to the fine
	plus docket fee
	to be imposed if convicted
Gross weight upon any	
axle or tandem, triple	
or quad axles.....	an amount equal to the fine
	plus docket fee
	to be imposed if convicted

Failure to obtain proper registration, clearance or to have current certification as required by K.S.A. 66-1324 and amendments thereto.....	255
Insufficient liability insurance for motor carriers pursuant to K.S.A. 66-1,128 or 66-1314 and amendments thereto	105
Failure to obtain interstate motor fuel tax authorization pursuant to K.S.A. 79-34,122 and amendments thereto.....	105
Improper equipment (glass or fire extinguishers).....	35
No authority as private, contract or common carrier	105
No current driver's daily log	35
Invalid or no physical examination card	35
Transporting open container of alcoholic liquor or cereal malt beverage accessible while vehicle in motion	205

(f) In the event of forfeiture of any bond under this section, \$25 of the amount forfeited shall be regarded as court costs in any court having jurisdiction over the violation of state law.

(g) None of the provisions of this section shall be construed to conflict with the provisions of K.S.A. 8-1219 et seq. and amendments thereto.

Sec. 3. K.S.A. 8-142 and K.S.A. 1984 Supp. 8-2107 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

SB 151 IS A TRIGGERING DEVISE WHICH WILL INCREASE THE SPEED LIMIT TO 65 MILES PER HOUR ON INTERSTATE HIGHWAYS, AND 60 MILES PER HOUR ON OTHER HIGHWAYS IN THE EVENT THAT THE UNITED STATES CONGRESS ESTABLISHES A MAXIMUM SPEED LIMIT GREATER THAN OURS OR REMOVES THE LIMITATIONS ENTIRELY.

THE FEDERAL GOVERNMENT SHOULD REMOVE THE MANDATORY 55 MILE PER HOUR SPEED LIMIT AND ALLOW EACH INDIVIDUAL STATE TO SET THEIR OWN SPEED LIMIT UPON THEIR OWN HIGHWAYS.

KANSAS SHOULD HAVE THE AUTHORITY AS A SOVERIGN STATE TO ADDRESS THIS ISSUE WITHOUT FEDERAL INTRUSION. REALISTICALLY SPEAKING, KANSAS HAS ALWAYS FOUND IT DIFFICULT TO REMAIN IN COMPLIANCE WITH THE 55 MILE PER HOUR SPEED LIMIT . SB 151 IS TARGETED SPECIFICALLY FOR KANSAS WHERE WE HAVE LONG STRAIGHT STRETCHES OF INTERSTATE AND TWO LANE HIGHWAYS. WE SHOULD INCREASE THE SPEED LIMIT AND THEN VIGOROUSLY ENFORCE IT.



SENATOR JOSEPH F. NORVELL

37TH DISTRICT

ELLIS, RUSH, EDWARDS, NESS,

TREGO, LANE, PAWNEE, HODGEMAN COUNTIES

STATE SENATE
STATE CAPITOL
TOPEKA, KANSAS 66612
A. C (913) 296-7383

HOME: BOX 991
HAYS, KANSAS 67601
A. C. (913) 735-2808
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2/19/85

ATT. ③

Page 2

SPEED LIMIT (SB 151)

THOSE HIGHWAYS AFFECTED: ie. THE INTERSTATES AND OTHER HIGHWAYS WITH ACCESS ROADS HAVE BEEN SAFELY BUILT FOR CARS TRAVELLING AT SPEEDS UP TO 75 MILES PER HOUR.

NOR DO WE THINK THAT GAS CONSERVATION IS AN ISSUE GIVEN THE FACT THAT CARS ARE MUCH MORE EFFICIENT TODAY AND THE DIFFERENCE IN GAS SAVINGS WOULD BE MINIMAL IN RAISING THE SPEED LIMIT BY ONLY 5 - 10 MILES AN HOUR

Continental Speed Limits

SPEEDING fines are imposed on-the-spot in most countries and can be very expensive so it is well to know what the limits are. Visitors to France and Portugal who have held a full driving licence for less than one year are restricted to driving at 90 kph (56 mph).

Country	Town kph (mph)	Country kph (mph)	Motorway kph (mph)
Austria	50 (31)	100 (62)	130 (80)
Belgium	60 (37)	90 (56)	120 (74)
France	60 (37)	90 (56) *110 (68)	130 (80)
Germany (West)	50 (31)	100 (62)	**130 (80)
Greece	50 (31)	80 (49)	100 (62)
Italy	50 (31)		
Up to 599 cc	50 (31)	80 (49)	90 (56)
600-900 cc	50 (31)	90 (56)	110 (68)
901-1300 cc	50 (31)	100 (62)	130 (80)
over 1300 cc	50 (31)	110 (68)	140 (86)
Luxembourg	60 (37)	90 (56)	120 (74)
Netherlands	50 (31)	80 (49)	100 (62)
Portugal	60 (37)	90 (56)	120 (74)
Spain	60 (37)	90 (56)	120 (74)
Switzerland	60 (37)	100 (62)	130 (80)
Yugoslavia	60 (37)	80 (49)	
		*100 (62)	120 (74)

* Speed on dual carriageways and, in France, non-rail motorways.

** If signposted, otherwise recommended.

England 60 70

MOTORCYCLE RIDER

July/Aug 1977 P. 2

HIGHER SPEED LIMITS

From June 1 the 'temporary' 50 and 60 'fuel-saving' speed limits were raised to 60 and 70 respectively. The Department of Transport recently consulted interested parties, including the BMF, for their views on speed limits. The BMF joined many other groups in recommending that the 'temporary' limits be dropped and the old 70 mph maximum be restored.

The DoT says that the reason for raising the limits is because people were not obeying the present ones and it was feared this was having a bad effect on respect for traffic law. Perhaps if drivers do not adhere to the latest limits they will be raised again on the same reasoning?

In any case road users lose out with the new limits, because single-carriageway roads will have a 60 mph limit and dual carriageway and motorways 70 mph. Before the 'temporary' limits were introduced in December 1974 the maximum was 70 on all types of roads. Now we're stuck with a new 60 mph limit which wasn't there before.

H.T.T.
(4)

British Motorcyclists Federation Limited
4 Hammersmith Broadway, London W6 7AU
Telephone: 01-741 3787

1974
80-90
Never get a ticket
only 80

MOTORCYCLE RIDER

Petrol costs

THE approximate cost of four-star petrol abroad is:

	£ p		£ p
Austria	1.33	Italy	1.75
Belgium	1.59	Netherlands	1.43
Denmark	1.58	Portugal	1.66
France	1.54	Spain	1.47
German (West)	1.31	Switzerland	1.36
Greece	1.38	Yugoslavia	1.26
Ireland	1.40		

1 £ = \$1.88

Atch. 5
2/19/85

State Automobile Speed Limits

(Except as otherwise posted)

Source: American Automobile Assn. Digest of Motor Laws 1973

Alabama: Interstate highways, 70 mph. daytime, 60 mph. nighttime; open highways, 60 mph. daytime, 50 mph. nighttime; residential districts, 25 mph.; business districts, school zones, etc., 15 mph.

Alaska: Divided highways, 70 mph; state highways, surfaced, 60 mph, unsurfaced, 50 mph, city streets, 30 mph.

Arizona: All highways, 65 mph. or as posted; residential areas, business districts, 25 mph. or as posted; school zones, 15 mph.

Arkansas: Interstate and controlled access roads, 75 mph; urban districts, 30 mph.

California: Statewide limit, 65 mph. (except freeways posted for 70 mph.); residential and business districts, school zones, 25 mph.

Colorado: 4-lane highways, 70 mph; open highways, 60 mph; residential districts, 30 mph.; business districts, 25 mph.; open mountain highway, 40 mph.; winding mountain highway, 20 mph.

Connecticut: Reasonable and proper for conditions. Posted limits prima facie evidence of reasonable speed, residential and business districts posted locally.

Delaware: Open highways, 4-lane, 60 mph.; 2-lane, 50 mph.; residential and business districts, 25 mph.

District of Columbia: Expressways, 45 mph.; school and playground areas, 15 mph.; other roads, 25 mph.

Florida: Interstate highways, 70 mph. day, 65 mph. night; open highway, 65 mph. day, 60 mph. night; residential & business districts, 30 mph.

Georgia: Interstate highways, 70 mph. daytime, 65 mph. nighttime; open highway, 60 mph. daytime, 50 mph. nighttime; residential, business and school areas, 25 mph.

Hawaii: Open highways, 45 mph., or as posted. Residential and business districts, local ordinances govern.

Idaho: Interstate highways, 70 mph.; open highway, 60 mph. daytime, 55 mph. nighttime; urban and business districts, 35 mph.

Illinois: Expressways, 70 mph.; open highways, 65 mph.; urban areas, 30 mph.; school zones, 20 mph.

Indiana: Interstate highways, 70 mph.; Open highways, 65 mph.; residential district, 30 mph.; school zones as posted.

Iowa: Interstate limited access roads, 75 mph. daytime, 65 mph. nighttime; open highways, 70 mph. daytime, 60 mph. nighttime; suburban, 45 mph.; residential and school districts, 25 mph.; business districts, 20 mph.; secondary roads, 60 mph. daytime, 50 mph. nighttime.

Kansas: Interstate highways, 75 mph. daytime, 70 mph. nighttime; open highways, 70 mph. daytime, 60 mph. nighttime; residential districts, 30 mph.; business districts, 20 mph.; Kansas Turnpike, 75 mph., 40 mph. minimum.

Kentucky: Interstate highways, 70 mph.; open highways, 60 mph. daytime, 50 mph. nighttime; residential and business districts, 35 mph.

Louisiana: Open highways 4-lane, 70 mph.; other open highways, 60 mph.

Maine: Turnpikes, 70 mph. daytime, 65 mph. nighttime; open highways, 45 mph.; residential and business districts, 25 mph.

Maryland: Interstate highways 70 mph.; Open country, expressways, 60 mph.; dual lane highways, 55 mph.; other highways, 50 mph.; residential and business districts, 30 mph.; thinly settled areas, 35 mph.; other highways 30 mph.

Massachusetts: Turnpike, 65 mph.; divided highway, 50 mph.; other highways, 40 mph.; residential and business districts, 30 mph.; school zones, 20 mph.

Michigan: Freeways, 70 mph.; open highways, 65 mph. daytime, 55 mph. nighttime; residential, 25 mph.

Minnesota: Open highways, 65 mph. daytime, 55 mph. nighttime; all speeds in urban districts, 30 mph.

Mississippi: Interstate highways 70 mph.; Open highways, 65 mph.; residential districts, 25 mph.; business districts, 20 mph.; school zones, 15 mph.

Missouri: Dual lane U. S. routes, 70 mph.; undivided U. S. routes, 70 mph. daytime, 65 mph. nighttime; other open highways, 65 mph. daytime, 60 mph. nighttime; municipal roads, 45 mph.

Montana: Open highways, day, reasonable and prudent unless posted, 55 mph. night, except Interstate highways 65 mph. nights; residential and business districts, 25 mph.

Nebraska: Interstate highways, 75 mph.; open highways, 65 mph.; residential districts, 25 mph.; business districts, 20 mph.; on non-hard surfaced roads, 50 mph.

Nevada: Careful and prudent, residential and business, as posted.

New Hampshire: Turnpike, 70 mph.; open highways, 60 mph.; rural residential districts, 35 mph.; urban and business districts, 30 mph.; school zones, 20 mph.

New Jersey: Turnpike, 60 mph.; open highways, 50 mph.; residential and business districts, 25 mph.

New Mexico: Open highways, 70 mph. daytime, 60 mph. nighttime; other highways, 60 mph. daytime, 50 mph. nighttime; residential and business districts, 25 mph.; school zones, 15 mph.

New York: New York State Thruway, 65 mph.; open highways, 55 mph.; school zones when children going to and from school as posted.

North Carolina: Interstate, 70 mph.; open highways, 65 or 60 mph. permitted as posted, otherwise 55 mph.; residential districts, 35 mph.; business, 20 mph.

Ohio: Ohio Turnpike and expressways, 70 mph.; open highways, 60 mph. daytime, 50 mph. nighttime; within municipal corporations, 25 mph.; school zones, 20 mph.

Oklahoma: Turnpikes and Interstate highways, 70 mph.; open highways, 65 mph. daytime, 55 mph. nighttime; school zones, 25 mph.

Oregon: Open highways, 55 mph.; freeways up to 75 mph. residential districts, 25 mph.; business and school zones, 20 mph.

Pennsylvania: Turnpike, 65 mph.; open highways 55 mph.; residential and business districts, 30 mph.; school zones, 15 mph.

Rhode Island: Residential and business districts, 25 mph.; elsewhere, 50 mph. daytime, 45 mph. nighttime.

South Carolina: Interstate System 70 mph. daytime, 65 mph. night; State highways 60 mph. daytime, 55 mph. night; urban districts 30 mph.

South Dakota: Interstate highways, 75 mph. daytime, 70 mph. nighttime; open highways, 70 mph. daytime, 60 mph. nighttime; residential and business districts, 30 mph.; school zones, 15 mph.

Tennessee: Open highways, 65 mph. day, 55 mph. night; school zones, 15 mph.; Interstate highways 75 mph.

Texas: Federal or State roads, 70 mph. daytime, 65 mph. nighttime; other rural roads, 60 mph. daytime, 55 mph. nighttime; in urban districts, 30 mph.

Utah: Open highways, as posted, residential and business districts, 25 mph.; school zones, 20 mph.

Vermont: Interstate highways, 65 mph.; open highways, 50 mph.

Virginia: Interstate 70 mph.; all others, 55 mph. or as posted; residential, business and school areas, 25 mph.

Washington: County roads, 50 mph.; cities and towns, 25 mph.; school zones, 20 mph.; Interstate highways 70 mph.; in other locations, 60 mph.

West Virginia: Interstate highways, 70 mph.; Turnpike, 60 mph.; open highways, 55 mph.; residential districts, 25 mph.; school zones, 15 mph.

Wisconsin: Interstate highways, 70 mph. daytime, 60 mph. nighttime; open highways, 65 mph. daytime, 55 mph. nighttime; residential and business districts, 25 mph.; school zone, 15 mph.

Wyoming: Open highways 4-lane divided, 75 mph.; open highways, 65 mph.; residential districts, 30 mph.; business and school districts, 20 mph.

Canal Zone: Outside town limits, 40 mph.; within town limits, 25 mph.

Guam: Roads, 45 mph.; school zones when children at recess or going to and from school, 10 mph.

Puerto Rico: Open highways, 45 mph.; urban districts and school zones, 25 mph.

U.S., Britain Disagree On Drop in Fatalities

Drivers and their passengers are dying less often this year. Injuries are less frequent, as well.

The welcome downturn in carnage is reflected in this country and in England.

The National Safety Council suggests most of the 24 per cent reduction in American traffic deaths is due to lower speed limits and increased use of seat belts.

The British disagree. They tie the reduction to the pocketbook.

The NSC today released an analysis of factors believed responsible for the lowered death rate.

Speed limits were at the top of the list. Reduction in travel and fewer passengers were also on the list. Less night driving followed.

In England, however, speed limits were restored to 70 m.p.h. in April, the same as before the petroleum shortage.

A death and serious injury accident rate, which dropped 20 per cent during the lowered speed limit period, stayed down. Accidents producing "slight" injuries stayed down 19 per cent. British Automobile Manufacturers Association spokesmen note that the American death rate has remained below pre-55 m.p.h. level, in spite of a de facto speed increase of 5 to 10 m.p.h. on most highways.

BAMA analysts feel costs of driving and purchasing an automobile may be heavy contributors to the drop in deaths.

"In this regard, we note that in the past 10 years, safety devices have added \$400 to \$500 to the cost of cars. Emission control equipment has added another \$200 to \$300."

The British traffic analysts feel safety devices, though effective, aren't main factors, as the numbers of accidents are down, not just deaths and injuries associated with them.

They note, "It now costs nearly 30 cents per mile to operate a standard-size American car; and even subcompact operating costs have risen dramatically. Furthermore, inflation may be making drivers more concerned with keeping their vehicles running longer."

The NSC, in its analysis, shows interlocking devices

have raised the usage of seat belts from 25 to 50 per cent when 1973 models are compared with 1974 models. Interlock systems will no longer be required, by an act of Congress which passed this year. The new legislation applies on 1976 models.

In Kansas, miles driven during the first six months of the year are estimated to be only 3 per cent less than the same period last year.

Neither the British nor the American analysts are claiming proof their theories are correct. The British add, "... whatever is causing the welcome death and injury drop may be more than speed alone, or the reduction thereof, and it is this we have to thank."

SAN DIEGO (UPI) — Drivers in late model cars without speedometers to nag them about speeding are most comfortable traveling about 70 miles an hour on the highway, according to student safety researchers.

The conclusion was reached in a research project carried out by students at Texas A & M University.

"The experiment clearly demonstrates that the average comfortable speed is well above the existing national speed limit of 55 miles per hour," said Dr. Ronald S. Morris of Texas A & M, when he presented a paper on the experiment at a meeting here of the SAFE Association, an organization of

safety equipment researchers, manufacturers and users.

"The analysis of our data resulted in an overall mean comfortable speed of 69.94 m.p.h. with a standard deviation of 4.425 m.p.h. From this it is reasonable to conclude that the probability that the entire population's comfortable speed is 55 m.p.h. is essentially zero."

Morris, also secretary of the association, said 18 volunteer students drove both ways over an isolated segment of Interstate 30 west of Texarkana, Tex., during daylight hours when weather was dry and sunny.

The students used a 1970 Datsun 240Z, a 1973 Ford Torino station wagon and a 1973 GMC Sports Van selected to represent the range of commercially available passenger vehicles.

In each vehicle, the speedometer was masked. Road speeds were logged with a special speed recorder placed in the rear seats and camouflaged so drivers did not know speed was being measured.

Each was instructed to "find a speed which is comfortable to you and maintain it," Morris said. As to purpose, the student volunteers were told only that the experiment was "intended to measure various human factors associated with driving."

Morris said he and graduate student Charles H. Berry Jr. theorized, in setting up the experiment, that any driver desiring "to remain legal" when the gap between comfortable speed and legal speed is wide would be "continually required to adjust his vehicle speed by throttle changes" and keep any eye on the speedometer.

"The net effect of this mismatch then will be increased control effort by the driver and consequently increased fatigue," he said. "Further, any relaxation of constant vigilance by the driver will result in a tendency to return to the comfortable speed."

The experiment showed differences in comfortable speeds for each vehicle with "mean" velocities of 66 miles an hour for the station wagon, 70 miles an hour for the sports car and 77 miles an hour for the van.

"The comfortable speed demonstrates that if the present speed limit of 55 m.p.h. is to be continued, further research is needed in the areas of vehicle and roadway design to establish a more acceptable interface between inherent vehicle characteristics and legal speed limits," Morris concluded.

"If the difference between the comfortable speed and the legal speed is large, the driver is placed in a stressful and fatiguing situation. This addi-

tional stress can lead to exposure to greater accident hazard.

"Further, the constant throttle correction will result in poor engine performance and efficiency...."

70 m.p.h. pegged as comfortable highway speed

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Nevada Legislature OKs \$5 Fine For Speeding at Up to 70 mph

CARSON CITY, Nev. (AP) — Spearheading a growing rebellion against the federally mandated 55 mph speed limit, the Nevada Legislature has overwhelmingly approved a bill that makes speeding on highways at up to 70 mph punishable only by a \$5 "energy wasting" fine.

And Gov. Bob List's press secretary said Friday the governor probably would sign the measure, which would make Nevada the first state to circumvent the 1973 federal mandate since Montana passed a similar law in 1974.

The \$5 fine was approved Thursday in the Nevada Assembly on a 36-4 vote, after passing the Senate last month.

Nevada is one of at least 22 states that has given some consideration to repealing or circumventing the 55 mph speed limit this year. Many state legislators said they were hopeful that President Reagan would move to have Congress repeal the 1973 law, which cuts federal funds to any state not abiding by a 55 mph limit.

In Kansas, two bills were introduced during the 1981 legislative session, one to allow a 60 mph speed limit and one to allow 65. Both were tied to the federal government easing the speed-limit law.

Neither bill passed.

Bob Price, chairman of the Nevada Assembly Transportation Committee, said the primary benefit of the bill is a provision preventing demerit points — used in determining insurance rates — from being attached to speeders' licenses for speeds between 55 mph and 70 mph.

Speeders stopped for traveling between 55 mph and 70 mph in unincorporated areas would be charged only a \$5 fine for "an unnecessary waste of a resource" in short supply. The current fine is \$2 for every mile a driver goes over the speed limit.

Violators traveling over 70 mph would not be protected by the bill and would be subject to all current penalties and

fines. The bill would not apply to speed limits under 55 mph or roads within a city.

Bart Jacka, state Motor Vehicles chief, said the measure wouldn't change the Highway Patrol's policy toward speeders. But he conceded some officers might be "disheartened" and less diligent in enforcing the limit.

Price said he did not anticipate any "road races" starting across the state if the bill is signed by List.

"I'm going to hold my breath until he (the governor) signs it," he said. "I've been pushing since 1975 to get this type of legislation passed."

The 55 mph speed limit was approved by Congress in 1973 at the height of the nation's gasoline shortage. The law provides that any state which does not enforce the limit can be denied federal highway funds.

On Thursday, the Colorado Senate approved a bill that would eliminate penalty points for motorists driving between 55 and 70 mph. That bill now goes to the Colorado House.

In Montana, two bills are pending in the Senate which would raise speed limits to 70 mph.

A Minnesota legislator has introduced a bill allowing a 65 mph speed limit on interstate highways.

Changes in speed laws, usually increasing the limit to 65 mph, have also been considered this year in Tennessee, Illinois, Indiana, Florida, Virginia, Missouri, New Mexico, South Dakota, North Dakota, Louisiana, Utah, Texas, Georgia, Oklahoma, Wyoming and Idaho.

Bob Lewis, List's press secretary, said the possible loss of \$66 million annually in federal road-building funds had been a primary concern of the governor's — along with questions about energy conservation and safety.

But Al Stone, state Transportation Director and a former federal highway official, advised List there was "no sign at all that the feds will come down hard" on Nevada if the measure became law.

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KANSAS DEPARTMENT OF TRANSPORTATION

STATE OFFICE BUILDING—TOPEKA, KANSAS 66612



JOHN B. KEMP, Secretary of Transportation

JOHN CARLIN, Governor

MEMORANDUM TO: SENATE TRANSPORTATION AND UTILITIES COMMITTEE
FROM: KANSAS DEPARTMENT OF TRANSPORTATION
DATE: FEBRUARY 19, 1985
REGARDING: SENATE BILLS 151 AND 209

THE DEPARTMENT DESIRES TO EXPRESS ITS CONCERNS WITH SENATE BILLS 151 AND 209 FOR THE FOLLOWING REASONS.

1. BOTH 151 AND 209 WOULD ESTABLISH THE MAXIMUM SPEED BY STATUTE. THIS IS A DEPARTURE FROM THE CURRENT STATUTORY PROVISION WHICH AUTHORIZES THE SECRETARY OF TRANSPORTATION TO ESTABLISH THE MAXIMUM SPEED LIMIT BY RESOLUTION, WITH THE APPROVAL OF THE GOVERNOR.
2. THE SPEED LIMITS ESTABLISHED BY EACH BILL WOULD PERMIT DIFFERENT TYPES OF VEHICLES TO TRAVEL AT DIFFERENT SPEEDS. SUCH CONDITIONS COULD BE CONTRIBUTORY TO INCREASED VEHICULAR ACCIDENTS.

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