

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Rex Crowell at  
Chairperson

1:30 ~~am~~/p.m. on March 24, 1986 in room 519-S of the Capitol.

All members were present ~~XXXXX~~

Committee staff present:

Bruce Kinzie, Revisor of Statutes  
Hank Avila, Legislative Research  
Donna Mulligan, Committee Secretary

Conferees appearing before the committee:

Senator Alicia Salisbury  
Mr. Dennis Murphy, Kansas Dept. of Health & Environment  
Mr. Gill Green, Kansas Corporation Commission  
Representative Ed Bideau  
Senator Norma Daniels  
Mr. Larry Knoche, Kansas Dept. of Health & Environment  
Mr. Tom Whitaker, Kansas Motor Carriers Association  
Mr. Ed De Soignie, Kansas Department of Transportation  
Mr. Bob Clester, Kansas Sheriff's Association  
Lt. Bill Jacobs, Kansas Highway Patrol  
Sheriff Roy Dunnaway, Jefferson County, Kansas  
Mr. Richard Schlegel, ABATE of Kansas  
Ms. Mary P. Ladesic, Wyandotte County Treasurer  
Mr. Bill O'Brien, Johnson County Treasurer

The meeting was called to order by Chairman Crowell, and the first order of business was a hearing on SB-446 concerning the transportation of hazardous wastes.

Senator Alicia Salisbury briefed the Committee on SB-446 and indicated it is principally a cleanup bill.

Mr. Dennis Murphy, Kansas Department of Health & Environment, spoke in support of SB-446.

Mr. Bill Green, Kansas Corporation Commission, testified in favor of SB-446. (See Attachment 1) Mr. Green stated the enactment of this bill would require the Secretary of Health and Environment to establish standards for routes used for the transportation of hazardous waste, with the concurrence of the State Corporation Commission. He added the bill specifies that these standards shall be consistent with the Commission's regulations and those of the United States regarding the routing of hazardous waste.

The hearing on SB-446 was concluded.

The next business was a hearing on SB-485 concerning the state's role in hazardous waste management.

Mr. Dennis Murphy, Kansas Department of Health & Environment, testified in support of SB-485. (See Attachment 2)

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,  
room 519-S, Statehouse, at 1:30 ~~am~~/p.m. on March 24, 19<sup>86</sup>

Mr. Murphy said KDHE believes this legislation provides a strong incentive to recycle hazardous waste and to lessen the economic impact of monitoring fees upon small businesses in Kansas.

Representative Ed Bideau, spoke in favor of SB-485. He suggested language be inserted in the bill to require the Kansas Department of Health & Environment to regulate PCB's as hazardous wastes.

This ended the hearing on SB-485.

The next order of business was a hearing on SB-554 concerning transportation of hazardous materials.

Senator Norma Daniels spoke in favor of SB-554 and briefed the Committee on its contents.

Mr. Larry Knoche, Kansas Department of Health & Environment, testified in support of SB-554. (See Attachment 3)

Mr. Knoche stated the plans which are being made by the Division of Emergency Preparedness will be very beneficial to the Kansas Department of Health & Environment during actual hazardous materials incidents. He said SB-554 will not have any significant financial effect nor will it increase the Department's responsibility regarding hazardous materials incidents.

Mr. Bill Green testified in support of SB-554. (See Attachment 4) He outlined suggested amendments to the bill.

Mr. Tom Whitaker, Kansas Motor Carriers Association, testified in favor of SB-554. (See Attachment 5)

Mr. Whitaker stated the KMCA continues to support legislation at the state level relating to the transportation of hazardous materials so long as such legislation is consistent with federal guidelines adopted by the U.S. Secretary of Transportation concerning such transportation.

Chairman Crowell asked if the penalty provisions currently in the bill were not changed, would KMCA be in support of the bill. Mr. Whitaker said if it remained a Class C misdemeanor, they would be opposed to the bill.

Mr. Ed DeSoignie, Kansas Department of Transportation, gave testimony in support of SB-554. (See Attachment 6) Mr. DeSoignie stated KDOT is supportive of efforts to increase the safety of hazardous material transportation on highways in the state.

The hearing on SB-554 was concluded.

The next order of business was a hearing on SB-438, concerning the requirement for two license plates, adjusting license plate fees and changing the number of numbers or letters on certain personalized tags.

Mr. Bob Clester, Kansas Sheriff's Association, testified favorably concerning SB-438. (See Attachment 7) He said he supports having two license plates because it aids law enforcement personnel.

Lt. Bill Jacobs, Kansas Highway Patrol, testified in support of SB-438. (See Attachment 8) Lt. Jacobs stated the Patrol believes vehicles bearing two license plates would be easier to identify.

Lt. Jacobs stated also that if vehicles are bearing two tags, the need for many dangerous "turn-arounds" on busy highways to identify vehicles, would be eliminated.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,  
room 519-S, Statehouse, at 1:30 ~~xxx~~ p.m. on March 24, 1986

Sheriff Roy Dunnaway, Jefferson County, Kansas, testified in support of SB-438. He said Lake Perry is in his area, and many times they are requested to locate visitors for emergency purposes. Sheriff Dunnaway said with the two license plate system, it would be easier to locate people.

Mr. Richard Schlegel, ABATE of Kansas, testified as a proponent of SB-438. He stated he supports the amendment on Line 97 which increases the number of letters or numbers on personalized motorcycle plates from five to six. (See Attachment 9)

Ms. Mary P. Ladesic, Wyandotte County Treasurer, testified in opposition to SB-438. (See Attachment 10)

She said the Treasurer's Association is opposed to the two plates provided in SB-438, as the bill does not address the additional expenditures in the area of postage. Ms. Ladesic pointed out that in accordance with K.S.A. 8-129, application by mail shall be accompanied by \$.50 for postage. She added the cost of mailing a single plate is \$.88 and for two plates \$1.75.

Mr. Bill O'Brien, Johnson County Treasurer, testified in opposition to SB-438. (See Attachment 11)

Mr. O'Brien pointed out SB-438 provides for two tags on motor vehicles including trucks licensed for a gross weight of 12,000 lbs. or less, except for motorcycles. He requested the bill be amended to provide for two tags on all motor vehicles except the truck tractor, motorcycles and moped.

Mr. O'Brien explained the amendment is requested because if trucks are licensed for 12,000 lbs. they would be required to have two tags, but if registered for a weight of 16,000 lbs., then only one tag would be issued. He said he believes the initial issuance of two plates on all trucks except truck tractors would avoid the problems of law enforcement officers in determining whether a truck should have one or two plates.

The hearing on SB-438 was concluded.

Chairman Crowell turned attention to SB-276 concerning axle weight limitations for refuse or solid waste disposal vehicles, which was tabled by the Committee during the 1985 Session.

Chairman Crowell said he had been requested by the solid waste haulers to be heard once again.

A motion was made by Representative Smith that SB-276 be taken off the table. The motion was seconded by Representative Wilbert. Motion passed.

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

  
Rex Crowell, Chairman

GUEST LIST

COMMITTEE: Transportation

DATE: 3-24-86

PLEASE PRINT

NAME	ADDRESS	COMPANY/ORGANIZATION
JOE CHILDS	1505 So. Custar Wichita	CENTOR INDUSTRIES
Dennis Murphy	Forbes Field - Topeka	KDHE
Larry Knoche	- - -	KDHE
Leon H. Mannell	2800 S. Topeka Topeka, KS	KDEP
MAYLON G WEEED	2800 S. Topeka Topeka	KDEP
Pat Hubball	Topeka, Ks.	Kansas Railroad Assn.
Ron Calbert	NEWTON	United TRANSPORTATION UNION
Leroy Jones	Overland Park	B. L. E.
Nike Germaan	Topeka	Ks Railroad Ass'n
Roy DUNNWAY	203 Linden Dr Perry, Ks	Jefferson Co Sheriff
LINDA MCGILL	TOPEKA	WASTE MGMT. INC.
BOB CHESTER	TOPEKA	Ks. SHERIFFS
Chip Wheeler	Topeka	WMI
JOHN C. BOTTENBERG	TOPEKA	3M
H Duncan	Topeka	Dept of Revenue
ED DE SOENIE	TOPEKA	Ks. DOT
FREDA POTTER	TOPEKA	NORTHERN NAT. GAS
Chris Wilson	Hutchinson	Ks Fertilizer Chem. Ass'n
LT. BILL JACOBS	TOPEKA	KANSAS HIGHWAY PATROL
Tom Whitaker	Topeka	Ks Motor Carriers Assn
MARY E. TURKINGTON	Topeka	Kansas Motor Carriers Assn.
PAUL W. MATTHEWS	OKLA. CITY, OK	Highway Users Federation
John Hamilton	Lyndon, KS	Osage Co. Treasurer
Anita Rissen	Lyndon, Ks	Osage Co. Treas. Off.
Mary S. Sadowski	Wyandotte County	Treasurer
Ann E. O'Brien	Johnson County	Treasurer
Monie Daniels	Ks Senate	





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MICHAEL LENNEN  
MARGALEE WRIGHT  
KEITH R. HENLEY  
JUDITH A. McCONNELL  
BRIAN J. MOLINE

Governor  
Chairman  
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State Corporation Commission

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STATEMENT PRESENTED ON S.B. 446 TO THE HOUSE  
TRANSPORTATION COMMITTEE MARCH 24, 1986 BY THE  
STATE CORPORATION COMMISSION OF KANSAS

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, I AM BILL GREEN,  
ADMINISTRATOR OF THE TRANSPORTATION DIVISION OF THE STATE  
CORPORATION COMMISSION, I APPEAR HERE TODAY ON BEHALF OF THE  
COMMISSION IN SUPPORT OF S.B. 446.

S.B. 446, AS AMENDED BY THE SENATE COMMITTEE IS A BILL REQUESTED  
AS CLEAN UP.

THE BILL ONCE ENACTED WOULD REQUIRE THE SECRETARY OF HEALTH AND  
ENVIRONMENT TO ESTABLISH STANDARDS FOR ROUTES USED FOR THE  
TRANSPORTATION OF HAZARDOUS WASTE, WITH THE CONCURRENCE OF THE  
STATE CORPORATION COMMISSION. THE BILL FURTHER SPECIFIES THAT  
THESE STANDARDS SHALL BE CONSISTENT WITH THE COMMISSION'S  
REGULATIONS AND THOSE OF THE UNITED STATES REGARDING THE ROUTING  
OF HAZARDOUS WASTE.

THE BILL DELETES REFERENCE TO THE KANSAS DEPARTMENT OF  
TRANSPORTATION (KDOT) BECAUSE THE LEGISLATURE IN 1985, REPEALED  
THE STATUTORY AUTHORITY FOR KDOT TO DEVELOP THESE REGULATIONS.

H. Transp. 3/27/86  
Attach. 1

THIS BILL WAS AMENDED ON LINE 0094 AND LINE 104 AND 105, AT THE SUGGESTION OF THE KANSAS MOTOR CARRIERS ASSOCIATION (KMCA). THIS AMENDMENT TO THE BILL AMENDED PARAGRAPH (0) (LINES 0093 THROUGH 0110) TO READ THE SAME WAY PARAGRAPH (0) READS IN S.B. 485.

THE AMENDMENT ELIMINATED REFERENCE TO EQUIPMENT IN THE BILL SINCE THE COMMISSION CURRENTLY HAS IN EFFECT REGULATIONS WHICH SPECIFY THE STANDARDS FOR EQUIPMENT.

SHOULD YOU HAVE ANY QUESTIONS I WILL AT THIS TIME ATTEMPT TO ANSWER THEM.

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

Testimony on Proposed Hazardous Waste Legislation SB 485

Presented to the House Transportation Committee

This is the official position taken by the Kansas Department of Health and Environment

BACKGROUND INFORMATION

The 1984 Kansas Legislature enacted K.S.A. 65-3451 which lowered the exemption level at which a hazardous waste becomes regulated to 55 pounds (25 kilograms) or more per month as of July 1, 1986. This lowering of the exemption level has the potential to affect approximately 4,000 small businesses which were not previously regulated as hazardous waste generators. The majority of these small businesses are dry cleaners, auto body shops, radiator repair shops, printers, laboratories, pesticide applicators, and vehicle maintenance shops including those activities at some secondary schools.

K.S.A. 65-3431(u) requires KDHE to collect monitoring fees from all hazardous waste generators producing or bringing into existence hazardous waste in Kansas. These fees are based on the total tonnage of hazardous waste generated in a calendar year. Currently these fees are on a sliding scale from a minimum of \$100 for less than two tons to a maximum of \$5,000 for more than 1,000 tons. Thus, every one of these small businesses would, at least, be subject to payment of the \$100 monitoring fee.

A large percentage of these small businesses generate solvents which were already being recycled prior to regulation by KDHE. Because the monitoring fee must be payed regardless of whether the hazardous waste is recycled or disposed, it will not provide an incentive for those businesses to recycle their wastes. KDHE believes that we should encourage recycling by allowing, through regulation, certain generators to be exempt from payment of monitoring fees.

This philosophy parallels the passage of H.B. 2273 during the 1985 session. This bill provided that all rules and regulations must consider the economic effect upon small businesses and where legally possible reduce that negative effect. This legislation will allow KDHE the flexibility to exempt specific generators from payment of the monitoring fees.

This legislation corrects language in the statute regarding establishing of routes for transportation of hazardous waste and coordination with Kansas Corporation Commission. Since the Kansas Department of Transportation does not regulate hazardous materials, reference to them has been eliminated. This issue is also addressed in SB 446 with identical statutory language.

*H. Transp. 3/24/86  
Attach. 2*

I would also call your attention to line 117 where the word "accidental" is stricken and lines 263 and 264 where additional language is included. Both of these amendments are necessary for KDHE to proceed with obtaining authorization from the U.S. Environmental Protection Agency (EPA) for the 1984 Hazardous and Solid Waste Amendments (HSWA) to RCRA. Without authorization, EPA would be administering these new programs.

The word "accidental" is stricken because it limits the type of release to only accidental incidents where prompt corrective action is necessary to protect the environment. Other releases such as willfull incidents should be included in these rules and regulations.

By adding the words "generation, transportation, storage, blending, marketing, burning and" to K.S.A. 65-3431(y), the necessary authority is provided to regulate all persons who are involved in the recovery of energy from hazardous waste.

#### STRENGTHS

1. Provides an incentive to hazardous waste generators to recycle hazardous waste and to reduce the need for other types of disposal including land burial outside of Kansas.
2. Encourage small businesses to properly manage hazardous waste by eliminating the economic burden of paying monitoring fees for those hazardous waste which are recycled to recover energy or materials.
3. Encourages compliance with hazardous waste regulations by reducing the regulatory burden for small businesses.
4. Amends the Kansas Statutes to allow KDHE to obtain authorization from the U.S. Environmental Protection Agency to operate the additional elements of the federal hazardous waste management program established in the RCRA amendments of 1984.

#### WEAKNESSES

This legislation has the potential to reduce the total amount of increased monitoring fees which would be collected due to the phasedown of the small quantity generator limits by approximately \$200,000. This is based on the assumption that 50 percent of the potential 4,000 small businesses recycle their wastes and thus would be exempt from the minimum \$100 per year monitoring fee.

#### DEPARTMENT'S POSITION

We believe this legislation provides a strong incentive to recycle hazardous waste and to lessen the economic impact of monitoring fees upon small businesses in Kansas.

We strongly encourage your support and endorsement of this legislation.

Presented by: Dennis R. Murphey, Manager  
Bureau of Waste Management  
Kansas Department of Health  
and Environment



KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

TESTIMONY ON SB 554

PRESENTED TO House Transportation Committee

This is the official position taken by the Kansas Department of Health and Environment on SB 554.

BACKGROUND INFORMATION:

SB 554 pertains to transportation of hazardous materials and to the advance planning to be made by the Division of Emergency Preparedness to deal with a disaster caused by a release of the material to the environment. The Kansas Corporation Commission will draft regulations to control actual transportation practices used while transporting hazardous materials.

STRENGTHS:

The plans which are being made by the Division of Emergency Preparedness will be very beneficial to this office during actual hazardous materials incidents. Having the available manpower resources as well as other available resources from the public and private sectors to deal with such a disaster would streamline the response to an actual emergency.

WEAKNESSES:

The disaster plans, once established, should be reviewed periodically to determine if the plans still provide adequate protection. Disaster plans must be modified as industry and population changes occur.

The Department's responsibility to deal with the pollution resulting from such a disaster was not directly addressed. This coordination between the Division of Emergency Preparedness and the Department is done under a Memorandum of Agreement at this time.

DEPARTMENT'S POSITION:

Senate Bill 554 will not have any significant financial effect nor will it increase the Department's responsibility regarding hazardous materials incidents. The Department supports the passage of this bill.

Presented by: Barbara J. Sabol, Secretary  
Kansas Department of  
Health and Environment

*H. Transp. 3/24/86  
Attach. 3*



JOHN CARLIN  
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STATEMENT PRESENTED ON SB 554 TO THE HOUSE  
TRANSPORTATION COMMITTEE MARCH 24, 1986 BY THE  
STATE CORPORATION COMMISSION OF KANSAS

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, I AM BILL GREEN, ADMINISTRATOR OF THE TRANSPORTATION DIVISION OF THE STATE CORPORATION COMMISSION, I APPEAR HERE TODAY ON BEHALF OF THE COMMISSION IN PARTIAL SUPPORT OF SB 554, AS AMENDED BY THE SENATE COMMITTEE OF THE WHOLE.

SB 554 ORIGINALLY WAS INTRODUCED TO PLACE UNDER ONE ACT THE COMMISSION'S AUTHORITY FOR THE REGULATION OF TRANSPORTATION OF HAZARDOUS MATERIALS. THE INTENT OF THE SPONSORS WAS TO PLACE THE EXISTING AUTHORITY FOR THE DEVELOPMENT OF THESE REGULATIONS AND THE EXISTING PENALTY PROVISION UNDER ONE STATUTE.

TWO OTHER AREAS OF CONCERN ARE ALSO ADDRESSED BY THE BILL:

1. THE REQUIREMENT THAT STATE AGENCIES REPORT HAZARDOUS MATERIALS ACCIDENTS TO THE DIVISION OF EMERGENCY PREPAREDNESS OFFICE OF THE ADJUTANT GENERAL; AND
2. REQUIRING THAT THE DIVISION OF EMERGENCY PREPAREDNESS OFFICE OF THE ADJUTANT GENERAL PROVIDE A LISTING FROM THEIR DATA BASE OF SPECIFIC TYPES OF ACCIDENTS INVOLVING THE TRANSPORTATION OF HAZARDOUS MATERIALS.

H. Transp. 3/24/86  
Attach. 4

THE INTENT OF THE BILL WAS TO NEITHER GRANT ANY ADDITIONAL JURISDICTION TO THE COMMISSION NOR TAKE ANY POWER AWAY FROM THE COMMISSION.

SB 554 AS CURRENTLY WRITTEN ADDRESSES THE REGULATORY AUTHORITY FOR THE DEVELOPMENT OF HAZARDOUS MATERIAL REGULATIONS FOR RAILROAD AND MOTOR CARRIERS.

SPECIFICALLY IN NEW SECTION 3 THE DEFINITION FOR "HAZARDOUS MATERIALS", "HAZARDOUS SUBSTANCES", "HAZARDOUS WASTE" AND "RELEASE" ARE STATED.

THE DEFINITION FOR "HAZARDOUS MATERIAL" AND "SUBSTANCE" HAVE BEEN DEVELOPED FROM THE FEDERAL DEFINITIONS. THE DEFINITION OF "HAZARDOUS WASTE" IS THE DEFINITION WHICH APPEARS IN THE KANSAS STATUTES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENT. THE DEFINITION OF "RELEASE" IS THE DEFINITION WHICH APPEARS IN THE FEDERAL "SUPER FUND" ACT AND IS A TERM THAT IS ALSO USED BY THE DIVISION OF EMERGENCY PREPAREDNESS.

NEW SECTION 3, SUBSECTION (B) REQUIRES THE COMMISSION TO CONSULT WITH SPECIFIC STATE AGENCIES IN THE DEVELOPMENT OF REGULATIONS UNDER THIS ACT. THE COMMISSION HAS IN THE PAST AS A PRACTICE CONSULTED WITH THESE AGENCIES AND REPRESENTATIVES OF THE INDUSTRY IN THE DEVELOPMENT OF THE HAZARDOUS MATERIALS REGULATIONS. THE COMMISSION HOWEVER, BELIEVES IT WILL BE HELPFUL TO FORMALIZE THE

CONSULTATION REQUIREMENT TO INSURE THE REGULATIONS ARE CORRECT AND PROPERLY PRESENTED BOTH AT HEARING AND WHEN FILED WITH THE REVISOR'S OFFICE.

ALSO IN NEW SECTION 3, SUBSECTION (B) (LINES 0065 THROUGH 0068) REFERENCE IS MADE TO THE STATE'S PARTICIPATION IN THE MOTOR CARRIER SAFETY ASSISTANCE PROGRAM. LAST LEGISLATIVE SESSION THE LEGISLATURE AUTHORIZED TWO STATE AGENCIES TO PARTICIPATE IN THIS PROGRAM. THE DECISION TO PARTICIPATE IN THE PROGRAM FOLLOWED A STUDY OF THIS MATTER BY THE INTERIM COMMITTEE ON TRANSPORTATION DURING THE SUMMER OF 1984. I WOULD FURTHER COMMENT THAT REFERENCE TO THIS PROGRAM HAS BEEN DELETED ON LINE 0155 THROUGH LINE 0158 BECAUSE IT IS REFERENCED ON LINES 0065 THROUGH 0068.

NEW SECTION 3, SUBSECTION (C) CARRIES OVER THE CURRENT SAFETY AND HAZARDOUS MATERIALS REGULATION DEVELOPED BY THE COMMISSION AS IN EFFECT ON MAY 1, 1986.

NEW SECTION 3, SUBSECTION (D) IS THE PENALTY PROVISION. THE PENALTY FOR VIOLATION OF ANY OF THE COMMISSION'S REGULATIONS IS CURRENTLY PUNISHABLE UNDER K.S.A. 66-1,130 WITH A MAXIMUM FINE OF \$500. SUBSECTION (D) IS A DEPARTURE FROM THE CURRENT PENALTY BECAUSE IT IS A CLASS C MISDEMEANOR, WHICH IS PUNISHABLE WITH A FINE NOT TO EXCEED \$500, HOWEVER A VIOLATOR COULD BE PUNISHED ALSO BY TIME IN JAIL.



I WOULD ALSO COMMENT THAT THE COMMISSION HAS TWO CIVIL PENALTY PROVISIONS CONTAINED IN K.S.A. 66-138 AND 66-177. K.S.A. 66-138 ALLOWS THE COMMISSION TO LEVY A CIVIL PENALTY UP TO \$1,000 FOR EACH VIOLATION OF ITS ORDERS OR REGULATIONS; WHILE K.S.A. 66-177 AUTHORIZES THE COMMISSION TO REQUEST THE COURT ATTORNEY IN THE COUNTY IN WHICH THE OFFENSE OCCURRED TO BRING A CIVIL ACTION. IF THE JURY DETERMINES THE CARRIER GUILTY THE CARRIER CAN BE FINED A MAXIMUM OF \$5,000 FOR EACH OFFENSE.

SECTION 4 OF THE BILL (LINES 0119 THROUGH 0121) PROVIDES CLARIFICATION TO THE EXISTING STATUTES ON THE INFORMATION SYSTEM MAINTAINED BY THE DIVISION OF EMERGENCY PREPAREDNESS AND FURTHER ON LINE 0125 THROUGH LINE 0128 REQUIRES THIS AGENCY TO PROVIDE THE COMMISSION WITH INFORMATION ON HAZARDOUS MATERIALS ACCIDENTS. THIS INFORMATION WILL BE HELPFUL TO THE COMMISSION IN IDENTIFYING CARRIERS WHO HAVE A PATTERN AND APPEAR TO BE INVOLVED IN HAZARDOUS MATERIALS ACCIDENTS.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, THE COMMISSION WOULD LIKE TO OFFER SEVERAL SUGGESTED AMENDMENTS TO THIS BILL.

FIRST, ON LINE 0027 STRIKE THE WORD "SURFACE".

SECOND, THE CURRENT DEFINITION OF "HAZARDOUS SUBSTANCE" IS INCOMPLETE. THE COMPLETE DEFINITION WHICH APPEARS IN 49 CFR § 171.8 NEEDS TO BE USED IN THE BILL.

THIRD, THE COMMISSION SUGGESTS THAT LANGUAGE BE ADDED TO SECTION 5, WHICH REQUIRES DRIVERS OF MOTOR VEHICLES OPERATING IN INTERSTATE COMMERCE, WHICH HAVE A REGISTERED GROSS WEIGHT OF MORE THAN 12,000 LBS. BE 21 YEARS OF AGE.

THE LAST AMENDMENT THE COMMISSION SUGGESTS IS THAT THE TERM "OPERATORS", WHICH APPEARS IN NEW SECTION 5, BE REPLACED WITH THE TERM "DRIVER".

THE SUGGESTED THIRD AND FOURTH AMENDMENT IS BEING SUGGESTED BY THE COMMISSION TO ALLOW THE KANSAS LAW ENFORCEMENT PERSONNEL TO ENFORCE THE EXISTING FEDERAL DEPARTMENT OF TRANSPORTATION (DOT) 21 YEAR OLD AGE REQUIREMENT. THIS MATTER, CONCERNING THE AGE OF INTERSTATE DRIVERS WAS BROUGHT TO THE COMMISSION'S ATTENTION RECENTLY BY THE MOTOR CARRIER SAFETY BUREAU OF DOT FOLLOWING THEIR REVIEW OF THE KANSAS SAFETY AND HAZARDOUS MATERIAL REGULATIONS AND STATUTES FOR PURPOSES OF UNIFORMITY.

THE COMMISSION WOULD LIKE TO BRING TO THE COMMITTEES ATTENTION THAT THE PENALTY PROVISION IN NEW SECTION 3, SUBSECTION (D) IS A CLASS C MISDEMEANOR. THE COMMISSION WOULD LIKE TO OFFER TO THE COMMITTEE SOME ALTERNATIVE LANGUAGE WHICH WOULD ESTABLISH THE PENALTY AS IT CURRENTLY IS LEVIED. THE ADDITIONAL LANGUAGE IS ADDED IN THE SECOND SENTENCE TO CLARIFY THAT THE COMMISSION CAN

STILL EXERISE ITS CIVIL PENALTY AUTHORITY UNDER K.S.A. 66-138 AND 66-177.

I HAVE ATTACHED TO THIS STATEMENT THE SPECIFICS RELATED TO THE SUGGESTED AMENDMENTS OFFERED BY THE COMMISSION.

SHOULD YOU HAVE ANY QUESTIONS, I WILL ATTEMPT TO ANSWER THEM.

SUGGESTED AMENDMENTS OFFERED BY THE STATE  
CORPORATION COMMISSION OF KANSAS TO SENATE  
BILL NO. 554, AS AMENDED BY THE  
SENATE COMMITTEE OF THE WHOLE

1. On Page 1, Line 0027, strike the word "surface".
2. On Page 2, Line 0055, strike the ";" and after the cite "49 CFR § 172.101" insert:

...when offered for transportation in one package, or in one transport vehicle if not package) and when the quantity of the material therein equals or exceeds the reportable quantity (RQ).

3. On Page 4, Line 0142, strike the word "operator" and add the word "driver".
4. On Page 4, Line 0143, strike the word "operator" and add the word "driver".
5. On Page 4, Line 0144 after the word "ages." insert:

Every driver operating a motor vehicle in interstate commerce with a registered gross weight of more than 12,000 lbs. shall be at least 21 years of age.

6. On Page 4, Line 0145, strike the words "operators" and "operate" and add the words "drivers" and "drive" respectively.
7. On Page 4, Line 0146, strike the word "operator's" and add the word "driver's".
8. On Page 4, Line 0147, strike the word "operators" and add the word "drivers".
9. On Page 5, Line 0160, strike the word "operator" and add the word "driver".



Alternative language offered by the Commission to the penalty provision of SB 554.

On Page 2, strike Line 0074 through Line 0077 and insert:

(d) The penalty for violation of rules and regulations adopted pursuant to subsection (b) and rules and regulations continued in effect pursuant to subsection (c) of new section 3 shall be as prescribed in K.S.A. 66-1,130 and amendments thereto. The penalty authorized in this subsection shall not preclude the Commission from exercising its authority or jurisdiction as authorized by K.S.A. 66-138 or K.S.A. 6-177.

STATEMENT

By The

KANSAS MOTOR CARRIERS ASSOCIATION

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Supporting the intent of Senate Bill No. 554  
relating to the transportation of hazardous  
materials.

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Presented to the House Transportation Committee,  
Rep. Rex Crowell, Chairman; Statehouse, Topeka,  
March 24, 1986.

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MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I am Tom Whitaker, Governmental Relations Director of the Kansas Motor Carriers Association. I appear here today representing the 1,550 member-firms of the Association and the highway transportation industry.

Our Association supports the intent of Senate Bill No. 554. The proposal, as we understand it, is structured to coordinate the authority for the adoption of rules and regulations pertaining to the transportation of hazardous materials and to set in motion a framework by which information concerning accidents involving the transportation of hazardous materials may be compiled.

The Kansas Motor Carriers Association continues to support legislation at the state level relating to the transportation of hazardous materials so long as such legislation is consistent with federal guidelines adopted by the U.S. Secretary of Transportation concerning such transportation.

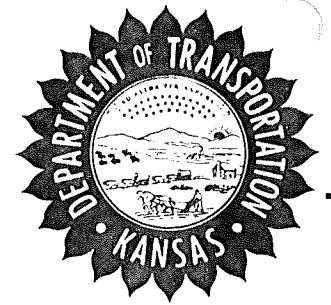
Senate Bill No. 554 continues legislative policy adopted in Senate Bill No. 21 during the 1985 session which provides uniformity with federal regulations governing the safety requirements for the transportation of hazardous materials.

We thank you for the opportunity to offer testimony to the Committee today. I will be pleased to respond to any questions you may have.

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H. Transp. 3/24/86  
Attach. 5

# KANSAS DEPARTMENT OF TRANSPORTATION



JOHN B. KEMP, Secretary of Transportation

JOHN CARLIN, Governor

March 24, 1986

MEMORANDUM TO: The Honorable Rex Crowell, Chairman  
House Committee on Transportation

FROM: Edward R. DeSoignie  
Policy Coordinator

REGARDING: Senate Bill 554

Senate Bill 554 establishes the Motor Carrier Transportation of Hazardous Materials Act. The Act requires the Kansas Corporation Commission to adopt rules and regulations concerning the transportation of hazardous materials which are consistent with federal regulations and requirements. The Commission is mandated to adopt such regulations in consultation with the Secretary of Health and Environment, the Secretary of Transportation, the Superintendent of the Kansas Highway Patrol, the State Fire Marshal, the Secretary of the State Board of Agriculture, and the Adjutant General.

The Act further requires state agencies to notify the Division of Emergency Preparedness of the Adjutant General's Office and the Kansas Corporation Commission concerning accidents involving transportation of hazardous materials. The legislation would require the Department to provide such accident information to the above agencies. The bill would not impact the Department's operations over and above the Fiscal Year 1987 Governor's budget recommendation for the Department of Transportation.

The Department is supportive of efforts to increase the safety of hazardous material transportation on highways in the state and requests favorable consideration of Senate Bill 554. Thank you.

*H. Transp. 3/24/86  
Attach. 6*





THE STATE OF KANSAS

# The Governor's Legislative Message

PRESENTED TO  
THE 1986 LEGISLATURE

  
JOHN CARLIN, GOVERNOR



ties and prohibit certain practices regarding the sale of alcoholic liquor and cereal malt beverages.

-- In the fall of 1985, I established and appointed the Kansas Liquor Law Review Commission to conduct a comprehensive review of our alcoholic beverage control laws and procedures. The report of this commission will be available for consideration by the 1987 Legislature.

The progress made during my administration in dealing with this most significant problem in public safety has been a major step forward. It is my hope that we can continue to work cooperatively with local governmental units and private sector interest groups to implement effectively a comprehensive plan that reduces alcohol-related offenses.

#### TRAFFIC SAFETY

In 1984, the legislature adopted a change in the design of motor vehicle license plates that consisted of a combination of three letters followed by a combination of three numbers. This design provides faster recognition and identification for law enforcement officers. To enhance further the recognition capabilities for law enforcement officers and the nighttime safety of motorists, I recommend that legislation be enacted requiring both front and rear reflectorized license plates.

The issue of mandatory seat belt usage has been controversial. Many agree that as adults, we have the right to choose not to protect ourselves by refusing to buckle-up. I have given this issue careful consideration and have concluded that the evidence in favor of seat belts is overwhelming. Seat belts do save lives and reduce personal injury. Mandatory seat belt laws do increase the use of seat belts.

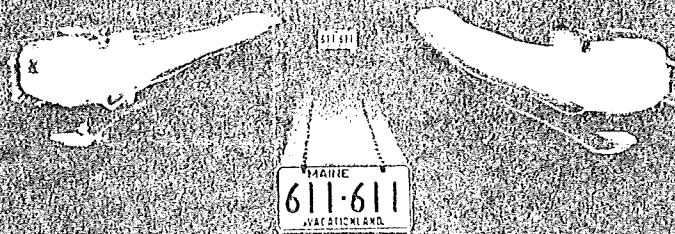
A total of 17 states and the District of Columbia now have mandatory use laws. The statistics from states that have implemented these laws are impressive. New York State went from a pre-mandatory usage rate of 16 percent to 57 percent usage with a 28 percent reduction in fatalities in the first six months of required use. In New Jersey usage went from 18 percent to 40 percent with a 21.5 percent reduction in front seat fatalities.

Motor vehicle accidents represent the number one cause of both lost work time and on-the-job fatalities. The ever-growing cost of motor vehicle accidents is a major health problem and one that I do not believe this state can afford to ignore. The protection of our citizens will always be a high priority for government. I believe the enactment of a mandatory seat belt law to be an appropriate role for government. Therefore, I recommend that legislation be passed in the 1986 Session requiring the use of seat belts.

Although we have made significant strides in meeting our responsibilities for public safety, we must remain alert to the continuing problems in this area which can spontaneously erupt into crisis situations. I ask you to join with me in providing viable solutions to these problems.



**One inexpensive  
law enforcement device  
can foil a thief  
coming...**

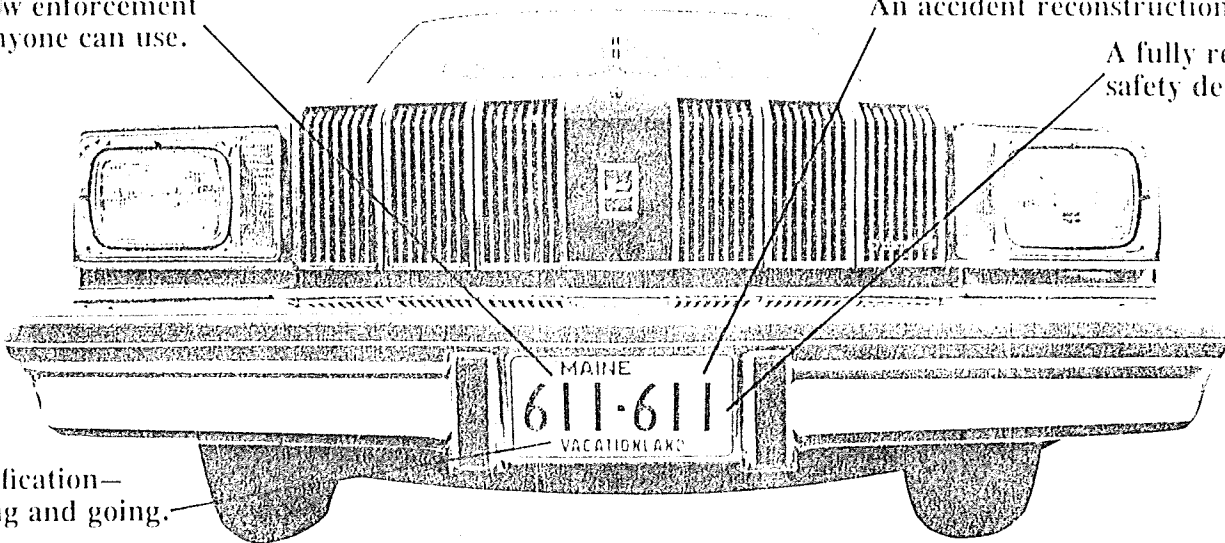


**and going.**

This law enforcement tool anyone can use.

An accident reconstruction tool

A fully reflective safety device.



Identification—coming and going.

Or, in hit-and-run situations, the plate may remain at the scene as part of the damage after the car and its driver have departed.

### Simple and efficient.

As law enforcement agencies across the nation follow the trend to one officer patrol cars, a simple and efficient tool like the front plate becomes even more important.

Of more than 3.8 million miles of roadway in this country, less than 5% is fourlane divided highway. The balance, more than 3 million miles, is made up of roads, streets, and highways where oncoming car situations are common—where the front plate helps the lone officer patrol efficiently and effectively.

The front plate helps. Even in the routine job of checking the hotsheet for stolen vehicles, one officer can check both sides of the street in one pass.

### Law enforcement organizations want the front plate.

Organizations like the International Conference of Police Associations, The International Chiefs of Police, and the National

Sheriff's Association—organizations representing more than 400,000 law enforcement officers, have written and continue to write letters and petitions in favor of the front license plate.

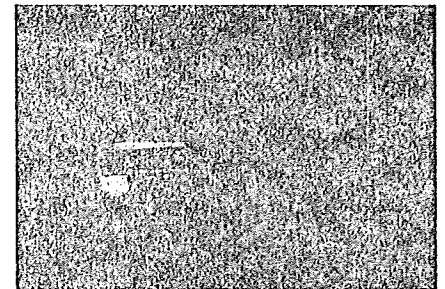
They know it is a safe, effective, law enforcement tool.

### Safety tool, too.

A fully reflective front plate can do something more. It can help you position a car on a dark stretch of highway.

Is this a car with a headlight out? A motorcycle?

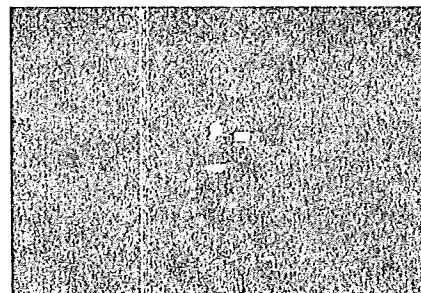
That reflective front plate on your car shows up like this when it's parked on a dark street:



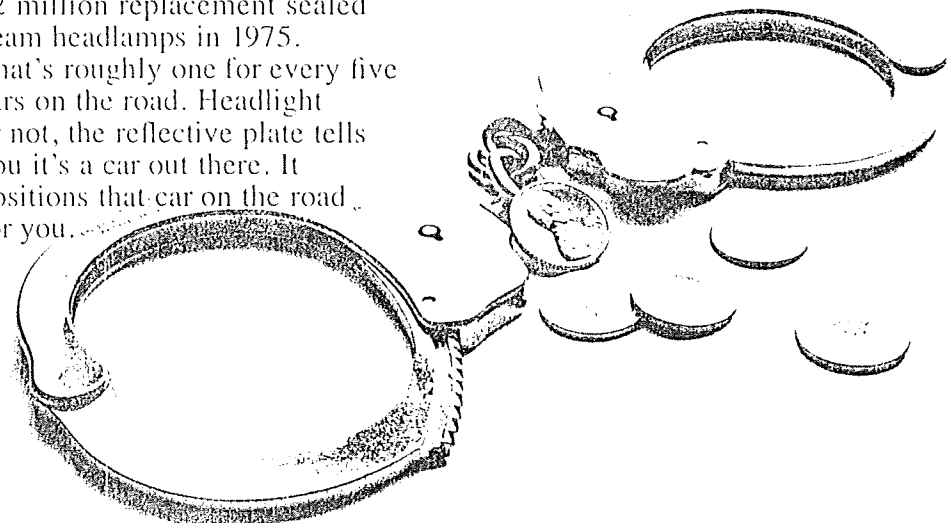
That crime-fighting, accident preventing law enforcement tool costs just 15 cents a year.

Fifteen cents. For less than the price of a cup of coffee, you can buy one of the most effective law enforcement and safety devices ever made.

That front plate belongs out there on the job 24 hours a day, seven days a week, 52 weeks a year. And at fifteen cents a year, we can't afford to be without it.



Americans bought nearly 32 million replacement sealed beam headlamps in 1975. That's roughly one for every five cars on the road. Headlight or not, the reflective plate tells you it's a car out there. It positions that car on the road for you.



# Front plates work.

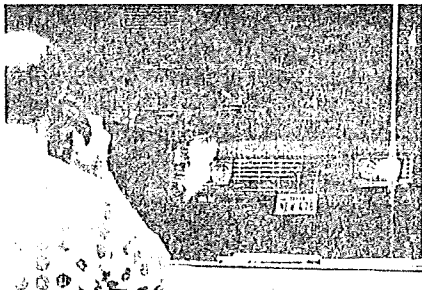
There are over 137 million vehicles in the United States. Cars are part of the American way of life.

They're part of American crime too.

One inexpensive law enforcement tool makes crime involving a car a little more difficult. It's the front plate. The front plate makes it easier to identify a car and increases the chances that a criminal will be caught and brought to justice.

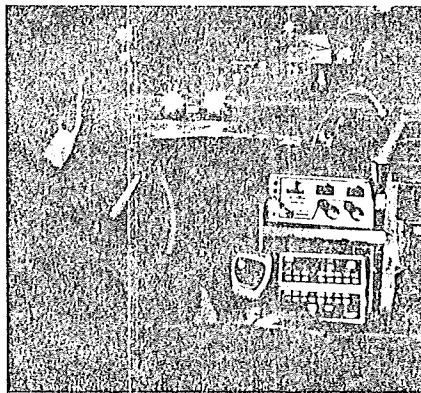
## Anyone can use it.

The front plate is probably the only law enforcement tool that police and private citizens can both use safely. Anyone—a clerk in a store or a kid on a bike—can write down the license number and turn it over to police.



## Police use it.

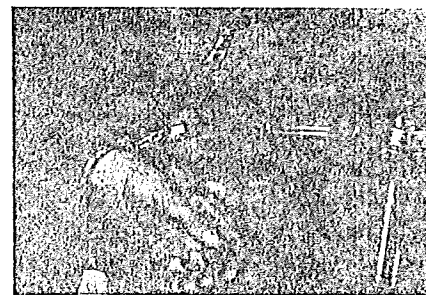
As they move through traffic, police rely heavily on the front plates of oncoming cars.



Police academies train officers to read oncoming plates quickly. There are simply more front plates for the officer to scan because few people will overtake and pass a squad car as it moves through traffic.

## Proven crime fighter.

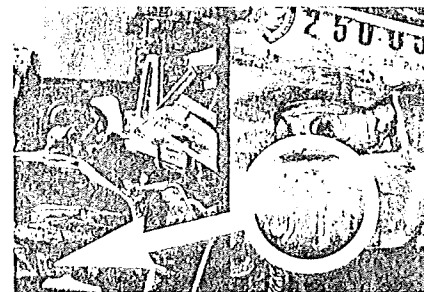
An officer answering an emergency call in rural Maine took the number from the front plate of the only car he encountered on the way to the address. When he arrived, he found a murder and put an all points bulletin for the car he had seen.



Later police had a suspect in custody—a suspect who later confessed to the murder.

## Accident reconstruction.

In most accidents, a front plate is usually at or near the point of impact. Often it leaves a visible impression on the struck object and that impression can be measured. It is a real clue that can help determine the precise point of impact.





November 14, 1985

RE: Requiring Two Registration Plates for Motor Vehicles

Governor John Carlin  
Statehouse  
Topeka, Kansas 66612

Attention Mr. John Myers

Dear Governor Carlin

On behalf of the Kansas Highway Patrol, I respectfully request that, during your deliberations on prospective proposals to be contained in your legislative message, consideration be given to requiring both front and rear license plates on motor vehicles registered in Kansas.

As you know, at one time Kansas required two plates to be displayed but reverted back to one some years ago, primarily because of the cost factor. Technological advances since that time allow plates to last much longer; also the numbering system that goes into effect in 1988 weakens the cost factor argument for not requiring a front registration plate.

I think you would find strong support for this proposal from all law enforcement organizations, mainly for the following reasons:

1. Two plates provide the opportunity for an officer on patrol to ascertain information regarding approaching vehicles, as well as those going away.
2. A front plate could be a valuable means of identifying vehicles observed by witnesses to crimes.
3. A front plate would enable officers to make positive identification on vehicles when only the front of the vehicle is visible.
4. Nighttime safety of the motoring public would be greatly enhanced by the presence of a front reflectorized plate on approaching vehicles with only one or no headlamp.
5. Studies show that a front reflectorized plate on a parked or stalled vehicle with no headlamps would also serve as an early warning to approaching nighttime drivers.

Governor John Carlin  
November 14, 1985  
Page #2

Latest U.S. Department of Transportation statistics indicate that thirty states, as well as the District of Columbia, now require plates on both the front and rear of vehicles registered in their jurisdictions.

We would appreciate your support of this request and will be happy to furnish additional information if you so desire.

Very truly yours

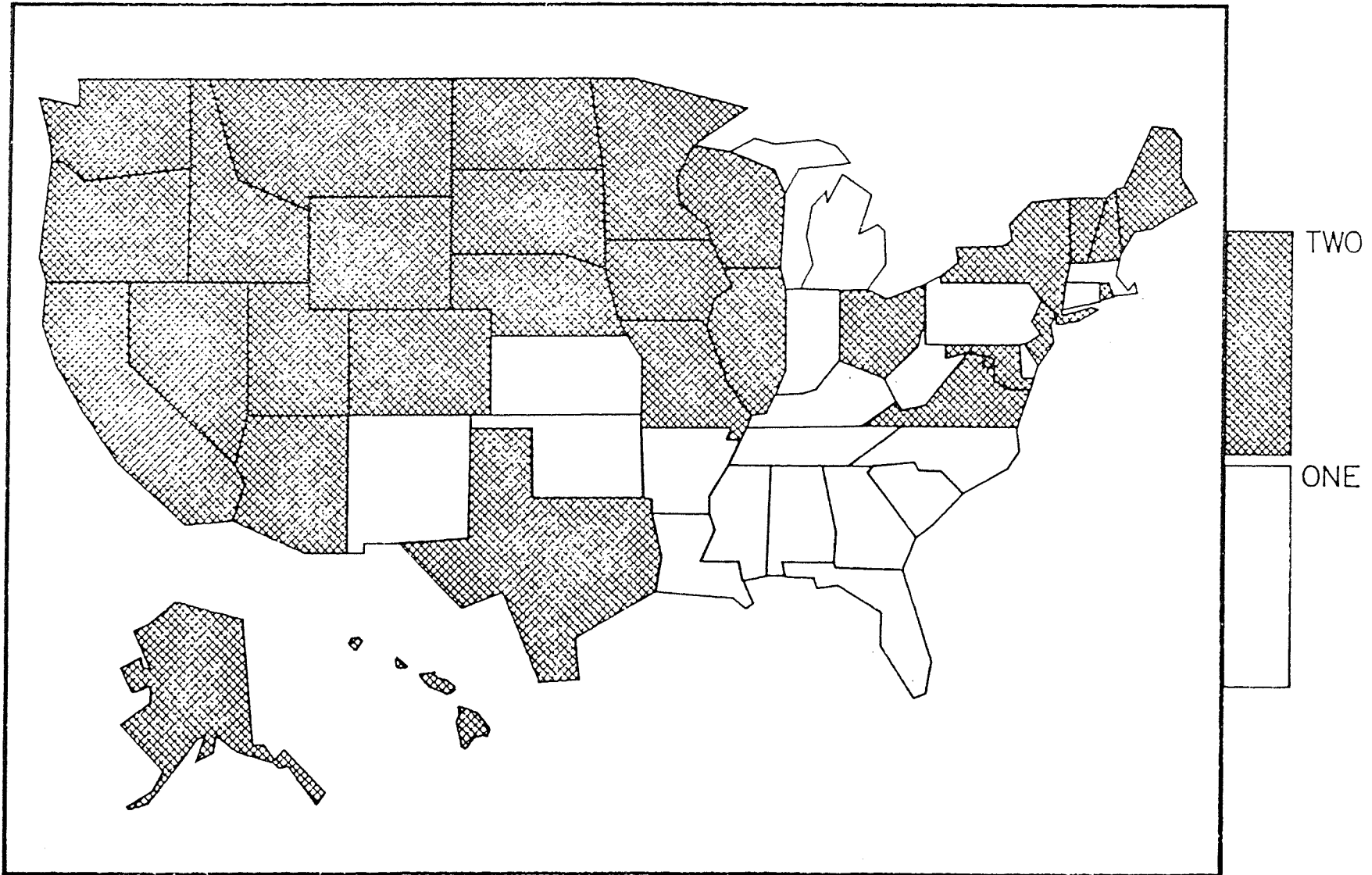
BERT CANTWELL  
Superintendent

BC:md

cc: Captain Donald L. Pickert

# LICENSE PLATES

*NUMBER OF PLATES PER VEHICLE*



## WHY LAW ENFORCEMENT PEOPLE WANT TWO PLATES:

1. NEED TO MAKE POSITIVE VEHICLE I.D.
2. TWO PLATES GIVE OPPORTUNITY FOR VEHICLE I.D. COMING AND GOING
3. TWO PLATES MAKE JOB SAFER WHEN APPROACHING SUSPECT CAR.
4. 75% OF OHIO OFFICERS MAKE ARRESTS "VERY OFTEN" OR "SOMETIMES" BASED UPON READING THE FRONT PLATE ON ONCOMING VEHICLES (2 PLATES).
5. 93% OF RESPONDENTS IN I.A.C.P. STUDY (1979) FAVORED TWO PLATES
6. WORKING POLICE OFFICER SEES THREE FRONT PLATES ON APPROACHING TRAFFIC TO EVERY ONE REAR PLATE (KIERNAN 1979 I.A.C.P.).
7. CITIZEN INVOLVEMENT IN CRIME CONTROL WOULD BE ENHANCED WITH FRONT AND REAR PLATE.
8. OFTEN, THE ONLY REFLECTIVE DEVICE ON THE FRONT OF A CAR IS LICENSE PLATE.
9. APPROACHING "ONE-EYED" CAR - FRONT, REFLECTIVE PLATE POSITIONS APPROACHING CAR - RELATIVE TO YOUR POSITION.
10. BACK IN PARKING - FRONT PLATE ESSENTIAL FOR VEHICLE I.D.



# What is the officers' overall attitude towards dual plates?

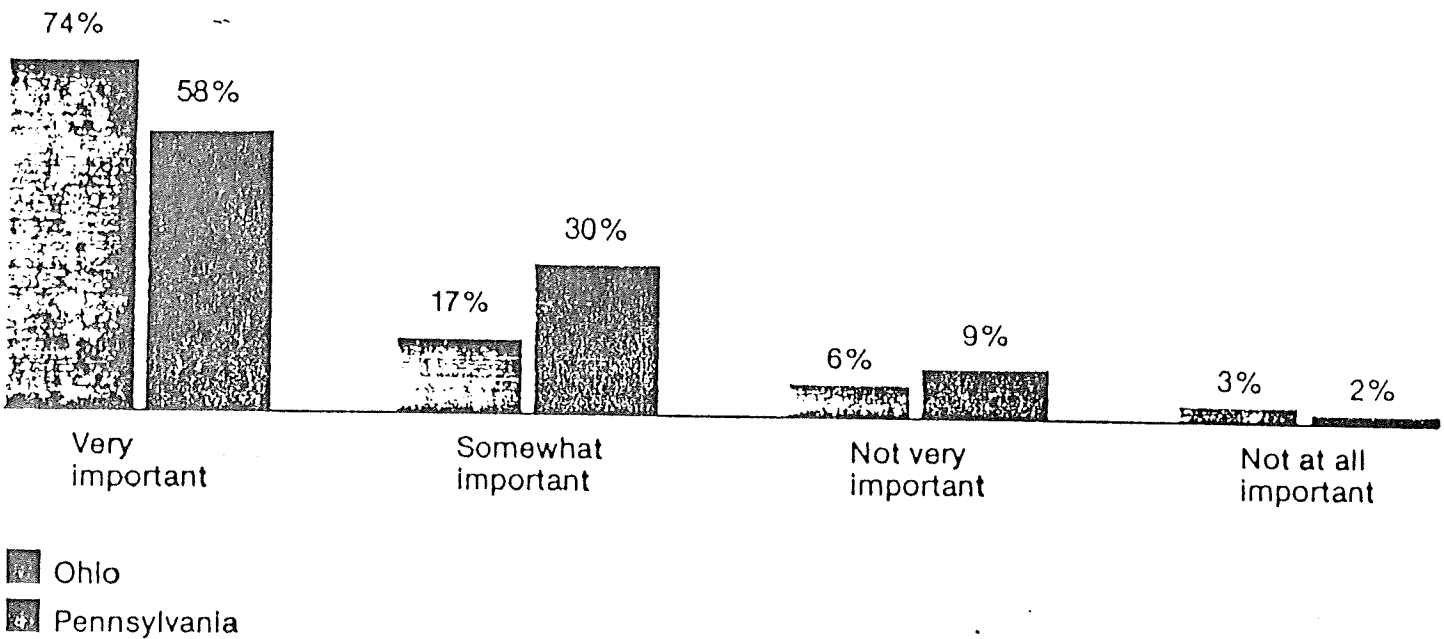
In summary, how important do you feel it is for vehicles to have two license plates?

Very important       Somewhat Important       Not very important  
 Not at all important       Don't know       Refused

Ohio officers, representing a two-plate state, are overwhelmingly supportive of a front plate, shown by three out of four Ohio officers (74%) stating that it is "very important" for vehicles to have two license plates.

Pennsylvania officers, who do not have experience with a statewide two-plate system, are also very supportive of a front plate, with over half of the officers (58%) reporting that two plates are "very important".

	Total Ohio Officers	Total Pennsylvania Officers
Very important	74%	58%
Somewhat important	17	30
Not very important	6	9
Not at all important	3	2
Don't know	1	1
Refused	1	1
(Officers interviewed)	(1,564)	(943)



# Does a two-plate system increase police officer safety?

Overall, do you feel that two license plates rather than one plate makes your job safer?

Yes

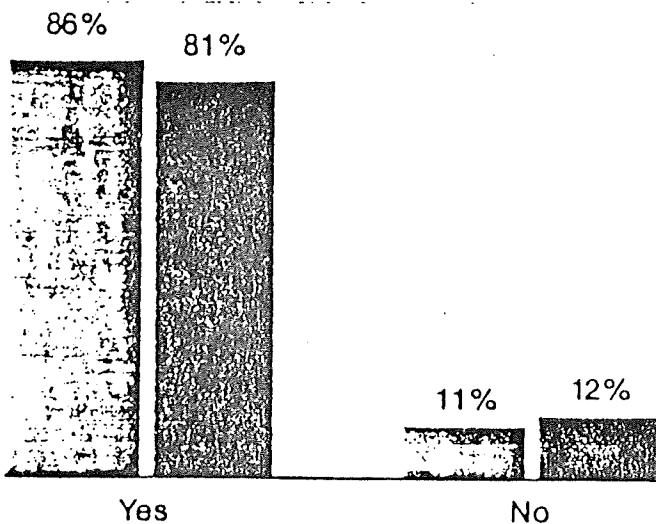
No

Don't know

Refused

Expressing serious concern for their own safety, officers in both Ohio and Pennsylvania feel that two plates make their job safer. Specifically, six out of seven Ohio officers (86%) and eight out of ten Pennsylvania officers (81%) state that the safety of their job is enhanced by the presence of a front plate.

	Total Ohio Officers	Total Pennsylvania Officers
Yes	86%	81%
No	11	12
Don't know	3	7
Refused	1	1
(Officers interviewed)	(1,564)	(943)



■ Ohio  
■ Pennsylvania

# How often are arrests based on front plate sightings?

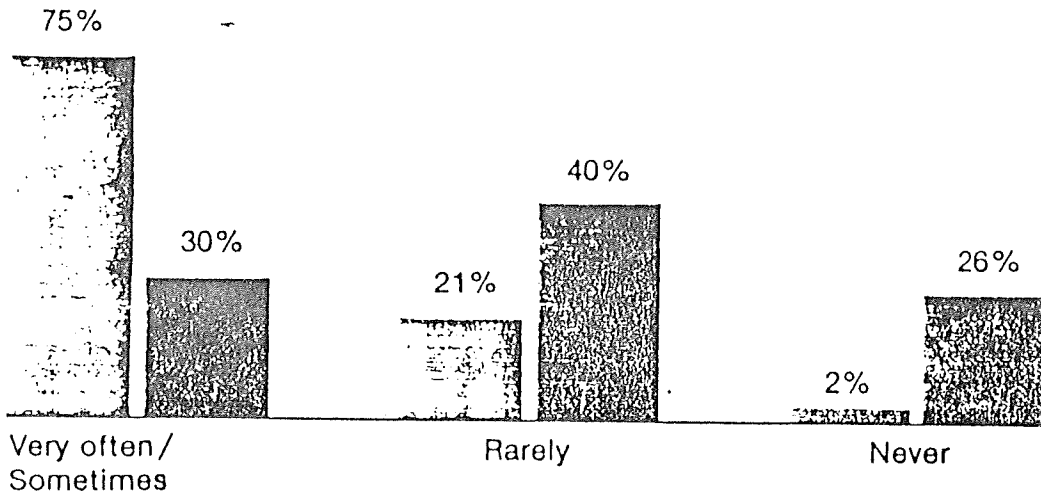
How often do you make arrests as a result of reading license plates on vehicles in the oncoming (opposing) traffic lane?

- Very often   
  Sometimes   
  Rarely   
  Never   
  Don't know   
  Refused

Three out of four (75%) Ohio officers make arrests "very often" (19%) or "sometimes" (56%) as a result of reading license plates on oncoming vehicles.

Comparison with Pennsylvania officer responses is not possible since Pennsylvania does not require a front plate. While the absence of a front plate is reflected in the Pennsylvania officer ratings, reports of frequent arrests due to reading front plates are most likely associated with arrests of drivers of out-of-state two-plate vehicles.

	Total Ohio Officers	Total Pennsylvania Officers
Very often	19%	3%
Sometimes	56	27
Rarely	21	40
Never	2	26
Don't know	2	3
Refused	1	1
(Officers interviewed)	(1,564)	(943)



Ohio  
 Pennsylvania

# Are turn-arounds in traffic reduced with the two-plate system?

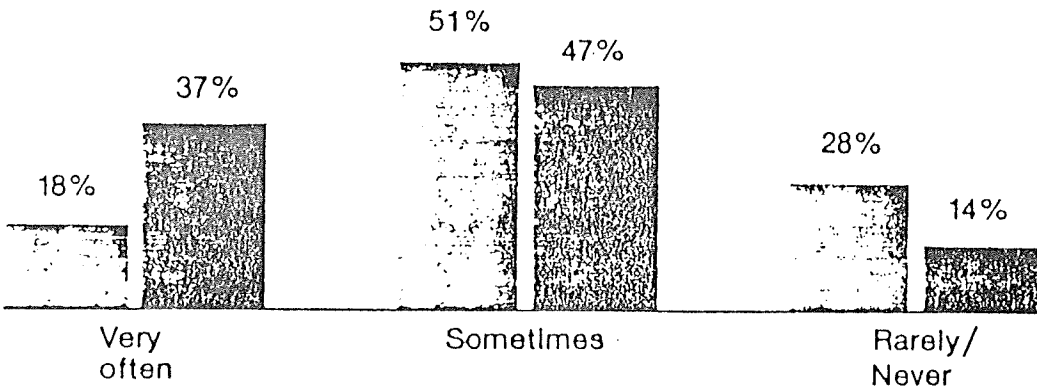
In the past year, how often have you had to turn around in traffic to pursue a vehicle that you were unable to identify from the front?

- Very often   
  Sometimes   
  Rarely   
  Never   
  Don't know   
  Refused

When asked to indicate how frequently an officer is called upon to pursue a vehicle which is unidentifiable from the front, over a third of single-plate system officers (37% of Pennsylvania officers) report that they must perform this action "very often".

In a dual-plate state such as Ohio, officers are called upon less frequently to turn around to pursue unidentifiable vehicles (only 18% of Ohio officers report turning around "very often"). This difference in attitudes indicates that the absence of a front plate is associated to some degree with the need to turn around frequently to pursue an unidentifiable vehicle and consequently, place the officer in a potentially dangerous situation.

	Total Ohio Officers	Total Pennsylvania Officers
Very often	18%	37%
Sometimes	51	47
Rarely	23	11
Never	5	3
Don't know	2	1
Refused	1	1
(Officers interviewed)	(1,564)	(943)



Ohio  
 Pennsylvania

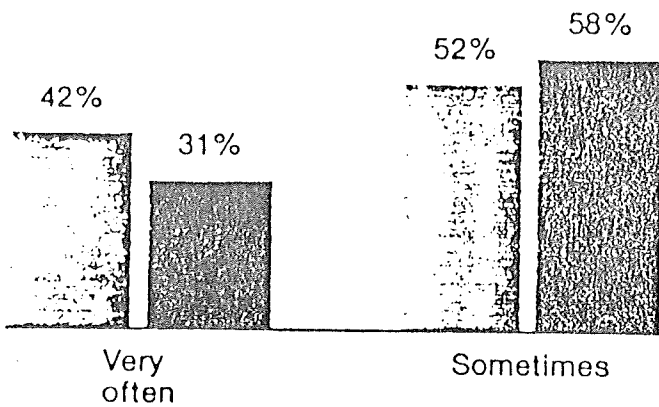
# Does the crime victim benefit from the two plate system?



How often do you respond to reports of crimes in which the victim has provided license plate information on the vehicle used in the crime?

- Very often   
  Sometimes   
  Rarely   
  Never   
  Don't know   
  Refused

The impact of a front plate on a citizen's ability to provide crime information is observed in the finding that Ohio officers with experience in a two-plate state are significantly more likely than officers in a single-plate state to receive license plate information from victims of crimes. Specifically, four out of ten Ohio officers (42%) report receiving this information "very often", while only a third (31%) of Pennsylvania officers make this same statement.

	Total Ohio Officers	Total Pennsylvania Officers
Very often	42%	31%
Sometimes	52	58
Rarely	6	10
Never	1	1
Don't know	1	1
Refused	1	1
(Officers Interviewed)	(1,564)	(943)



 Ohio  
 Pennsylvania

# Does a two-plate system make a significant improvement in vehicle identification?

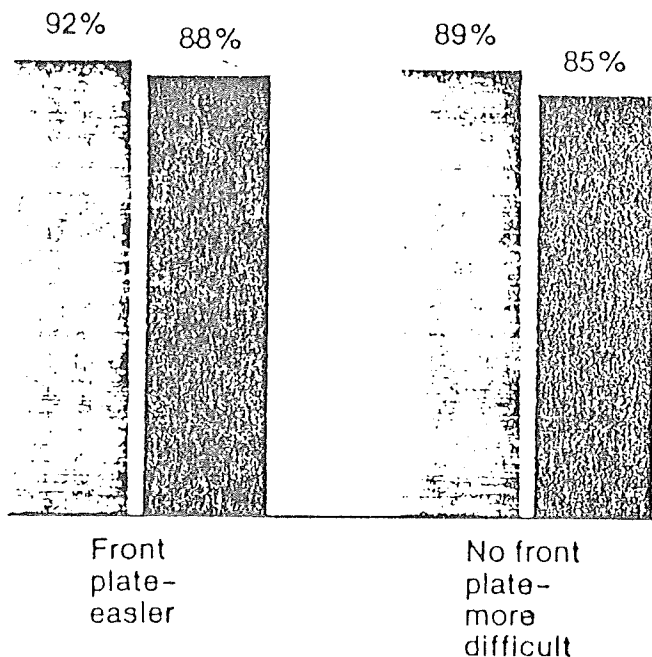
Based on your experience with vehicles from a one-plate/two-plate state, do you feel that the absence/presence of a front plate makes it more difficult/easier to identify a vehicle?

Yes

No

Don't know

Based on their experience with one-plate and two-plate vehicles, officers in both Ohio and Pennsylvania show overwhelming support for a front plate as an aid in identifying vehicles. Nine out of ten Ohio officers feel that the presence of a front plate makes it easier to identify a vehicle (92%) and the absence of this plate makes it more difficult to identify a vehicle (89%). Among Pennsylvania officers, these percentages are 88% and 85% respectively.



Ohio  
 Pennsylvania

	Total Ohio Officers	Total Pennsylvania Officers
% who feel that the presence of a front plate makes it easier to identify a vehicle	92%	88%
% who feel that the absence of a front plate makes it more difficult to identify a vehicle	89%	85%
(Officers Interviewed)	(1,564)	(943)

# Descriptions of other situations where it is important to have dual license plates.

Please describe those situations in which it is important to have dual license plates.

	Total Ohio Officers	Total Pennsylvania Officers		Total Ohio Officers	Total Pennsylvania Officers
Moving vehicle identification — plates seen in any direction	19%	20%	Two different plates may indicate a stolen vehicle	4	2
Cars used in crimes more difficult to conceal	16	15	Traffic enforcement/surveillance	4	9
Two-way check on vehicles	13	9	Officer safety	4	6
Autos backed against walls/buildings	12	19	Easier to spot/read plates	4	6
Identification of vehicles	11	14	Radio in registration number without changing approach	4	4
Identification of stolen vehicles	11	10	Helps identify stolen plates	4	6
Assists in identification by witnesses/victims	10	11	Police stake out	4	2
Surveillance of suspects and vehicles	9	9	In most instances two plates are better	3	1
Hit and run accidents	8	9	Two plates rarely destroyed in accident	3	2
Criminals often "forget" to apply front plate	7	5	Meeting vehicles at night	2	1
Have one plate left when one lost	6	4	Inspection violations/parking violations	2	8
Vehicles leaving the scene can be identified	5	4	Identifying expired plates	2	8
Parking lot checks	4	6	Drive-offs (failure to pay)	1	1
			Identification of out-of-state plates	1	4
			Other	2	2
			Don't know	1	-
			Refused/no answer (Officers interviewed)	3	4
				(889)	(557)

**IACP  
VEHICLE IDENTIFICATION STUDY REPORT**

**\* \* \***

**UTILITY OF LICENSE PLATES  
FOR  
LAW ENFORCEMENT**

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**Prepared by the  
RESEARCH DIVISION  
BUREAU OF OPERATIONS AND RESEARCH  
INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE  
Galthersburg, Maryland 20760**

**April 1979**



## LAW ENFORCEMENT USE OF VEHICLE LICENSE PLATES

The major portion of the survey dealt with the use by law enforcement personnel of motor vehicle license plates and suggestions as to how the present systems might be improved. Of the 1,801 returned surveys, a number (128) were found to be nonprocessable due to failure to follow instructions or failure to complete any but the administrative portion of the survey. The remaining 1,673 surveys were analyzed initially as one group from which the major portion of this report is derived.

To gauge the general concerns of law enforcement, respondents were asked the importance of a number of law enforcement problems (to be scored on a scale of 0—no importance to 4—great importance). The area of highest importance to the respondents is that of general and/or "street" crime control, with a 3.76 score. Since this is the traditional emphasis of law enforcement efforts, this high ranking is appropriate. Narcotics enforcement and control as well as traffic enforcement and control both ranked high with 3.28 and 3.24 scores respectively. There was a slight drop to a score of 3.10 for organized crime. These four areas were the highest rated, all with overall scores of over 3.00 on the scale of 0 to 4. Thus it can be seen that although traffic control and enforcement is not perceived as the area with greatest importance, it is clustered in a general second place area after the traditional area of law enforcement emphasis.

Of lesser importance was juvenile delinquency prevention (2.96), other—as specified by the respondent (2.67), and vice control (2.17). At the lower end of importance was "white collar" crime control (1.92) and environmental protection control (1.27). It is understandable that a patrol officer or sergeant would rank the items in this general order.

### IMPORTANCE OF LICENSE PLATES

The survey also asked the importance of motor vehicle license plates as a tool of law enforcement in each of the above-mentioned areas. Once again using the 0 to 4 scale, several areas ranked very high (above 3.00 overall). These were traffic enforcement and control (3.66), general or "street" crime control (3.57), contribute to officers' safety in overall operations (3.39), narcotics enforcement and control (3.17), and contribute to overall public safety (3.01). So in these five areas, motor vehicle license plates were viewed by operational law enforcement as of primary importance. Well below these five were organized crime (2.57), vice control (2.22), other answers supplied by respondent (2.04), juvenile delinquency prevention (1.68), "white collar" crime (1.14), and environmental protection control (1.05).

It is important to note that of the three highest rated

areas of general concern to law enforcement (street crime, narcotics, and traffic control), the importance of license plates as a tool was scored as very important. So field officers and first-line supervisors recognize the importance of license plates in the areas of greatest concern in law enforcement. Also in those areas which were of least concern to the respondents ("white collar" crime and environmental protection control), there was less indicated importance of license plates as a useful tool. It should also be noted that the two added areas which concerned the safety factor to officers and to the overall public also scored very high in the importance of license plates.

### ONE VERSUS TWO LICENSE PLATES

A major point of analysis was differences based on one license plate (rear) systems as opposed to two license plates (front and rear) systems. When asked with which system the officer had most experience, 17 percent indicated substantial experience with both systems, 63 percent had mostly two-plates experience, and 20 percent had mostly one-plate experience. When asked how the officer would rate a two-plates system compared to a one-plate system, the overall responses indicated overwhelming support of a two-plates versus one-plate system. Thus, as a group, almost 75 percent indicated that two license plates were either absolutely essential or very important. More specifically, 39 percent stated that two plates were absolutely essential, 35 percent stated two plates were very important, 11 percent said two plates were necessary most of the time, 12 percent said that two plates were of some help, and only two percent said that one plate is enough. When analyzing only those participants from the 17 states with only one license plate, it was found that although there was slightly less importance placed on two-plates systems, there was much support for a two-plates system over a one-plate system. In these one-plate states, only six percent indicated that one plate was enough for law enforcement requirements as opposed to 53 percent which said that a two-plates system was either very important or absolutely essential.

When asked to estimate the percentage of improvement a two-plates system provides as a law enforcement tool compared with a one-plate system, the overall survey results indicate a 53.6 percent improvement in correctly reading the license plate and a 59.3 percent improvement in doing the officer's total job better, which was in the considerable improvement area. When analyzing only those surveys from one-plate states, the percentages were slightly lower (47.6 and 53.5 percent respectively), but these results still indicate that officers in one-plate states believe there would be considerable improvement if a two-plates system was used.

When asked which system for identifying motor vehi-

cles serves the needs of law enforcement better, 93 percent of the total survey responses indicated two license plates, three percent said one license plate, and three percent indicated no preference. In the one-plate group, 83 percent indicated the two-plates system, nine percent preferred the one-plate system, and eight percent showed no preference. This indicates massive support for the two-plates system by law enforcement nationwide and specifically in states using only one plate currently.

Participants were also asked if in their experience two license plates have greater value than one plate for attendants monitoring parking at meters or for school-crossing guards. In the total survey, 74 percent indicated that two plates had greater value to parking attendants, seven percent did not, and 19 percent had no opinion. Concerning the value to school-crossing guards, school-bus drivers, and similar personnel, 84 percent stated that two license plates have greater value than one, seven percent did not agree, and nine percent had no opinion. From these two questions; the value of a two-plates system to others associated with public safety is indicated as very high. This is in addition to the support for two plates as a tool to support law enforcement directly.

The participants were asked how often over the past month the presence of only one license plate on a motor vehicle hampered their ability to do their job. Five percent said this occurred very often, 17 percent said often, 37 percent stated that it happens occasionally, 26 percent said seldom, and 18 percent said never. Thus, 59 percent indicated that the presence of only one license plate hampered them occasionally or more often. This is significant when one notes that only 17 states have only one license plate, representing about one quarter of the survey respondents. The median estimated number of instances where the presence of one license plate hampered the officer was 29, or again about once a day. This would indicate that using a two-plates system would allow for improvement in daily operations of each officer in the country.

## CONCLUSIONS

The study, designed to determine how law enforcement officers use motor vehicle license plates and how they perceive that these plates may be improved, revealed the following points:

- License plates are a most important tool in law enforcement, especially in the more important areas of concern which include general and/or street crime control, traffic enforcement and control, and narcotics enforcement and control.
- License plates, in addition, contribute to police officer safety in overall operations and to overall public safety.
- There is a need to improve the design of license plates for greater legibility in general, especially for reading them at higher speeds both day and night.
- There was an overwhelming choice for vehicle identification systems using two license plates, both front and rear, in preference to a one-plate system, rear only.
- There was a decided preference for reflectorized license plates because of their greater legibility and safety value.
- There is a need for better state identification with distinctive colors being the preferred method to convey this information.

SUMMARY OF TESTIMONY

Before the House Transportation Committee

SENATE BILL 438

Presented by the Kansas Highway Patrol

(Lieutenant William A. Jacobs)

March 24, 1986

The Patrol strongly supports Senate Bill 438.

As a law enforcement agency we have a vested interest both from a practical and safety standpoint.

Considering the primary purpose of license plates, to afford identification of the vehicle and registered owner and to assure compliance with the registration laws, our mission would be greatly enhanced through a two-plate application.

It is generally recognized that a patrol officer will have the opportunity to read three front plates, when available, to every rear plate. Obviously, the proposed application would afford more ready identification of traffic units both for officers and the cooperating public.

Our major concern in this regard is officer safety. With the ability to read a front plate an officer can effect identification and have the opportunity for radio contact with a base point or other officers, as well as, prepare themselves mentally and physically prior to stopping the vehicle, particularly on felony or high risk stops. Conversely, when the officer must pull behind the vehicle to effect the identification, time becomes a critical factor in preparing for the stop which may well be immediate.

Additionally, this ability would eliminate the need for many dangerous turn-arounds on busy highways to identify a vehicle where only a rear plate is available and identification rests on that factor alone.

The legislature, in recent years, has greatly assisted our efforts through adoption of the reflectorized license plate and the SAM-123 numbering system which will take effect in 1988. We again request your support in further improving the system through favorable consideration of this bill.

*H. Transp. 3/24/86  
Attach. 8*

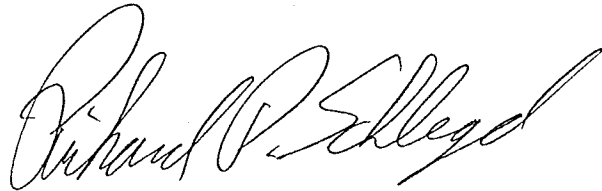
Testimony Before The House Transportation Committee in Support of S.B. 438  
by Richard Schlegel, Registered Lobbyist, A.B.A.T.E. of Kansas.

I come before you as a proponent of Senate Bill 438, not so much on the aspect of the two license plates since they did see fit to exclude motorcycles, but because of the little amendment on line #97 in which we are asking that the number of letters on a personalized motorcycle tag be increased from 5 to 6.

I have been in contact with Dept. of Revenue, Dept. of Transportation and with Law enforcement and there have been no objections raised anywhere.

I have also been in touch with Mr. Joe Childs of Center Industries who makes the plates and there has been no problem there, either.

The only problem would be the additional cost of approximately 1,000 dollars for the cost of a set set of letter and number stamps. However, judging by the amount of interest that has been expressed to me by members of my organization and others, I feel safe in saying that there would be no problem whatever in selling the 25 plates that it would take to pay for these dies. The additional interest in having six letters available for personalized motorcycle plates would sell many more besides the 25 necessary to break even.



H. Transp. 3/24/86  
Attach. 9

TO: HOUSE TRANSPORTATION COMMITTEE  
FROM: MARY P. LADESIC, WYANDOTTE COUNTY TREASURER  
RE: SENATE BILL #438

MR. CHAIRMAN AND HONORABLE MEMBERS OF THIS COMMITTEE. I APPRECIATE THE OPPORTUNITY TO APPEAR BEFORE YOU IN REGARDS TO SENATE BILL 438.

MY NAME IS MARY LADESIC AND I AM THE WYANDOTTE COUNTY TREASURER. I AM HERE ON BEHALF OF THE TREASURER'S ASSOCIATION IN OPPOSITION TO THE TWO PLATES PROVIDED IN THE PROPOSED SENATE BILL 438 AS THIS BILL, EVEN AFTER BEING AMENDED IN THE SENATE COMMITTEE, DOES NOT ADDRESS THE ADDITIONAL EXPENDITURES IN THE AREA OF POSTAGE.

IN ACCORDANCE TO STATUTE 8-129, APPLICATION MADE BY MAIL SHALL BE ACCOMPANIED BY .50¢ FOR POSTAGE. THIS AMOUNT HAS NOT CHANGED FOR AT LEAST THE LAST 30 YEARS ALTHOUGH POSTAL RATES HAVE ESCALATED DURING THIS SAME PERIOD OF TIME. AT THE PRESENT TIME THE COST OF MAILING A SINGLE PLATE FIRST CLASS AS REQUIRED BY LAW IS .88¢ AND TWO PLATES \$1.75. POSTAL RATES FOR 1988 WHICH IS THE PROPOSED YEAR FOR ISSUANCE OF NEW PLATES ARE UNKNOWN. WYANDOTTE COUNTY ANTICIPATES PROCESSING 50,000 APPLICATIONS IN THE NEXT ISSUANCE YEAR BY MAIL. AT .50¢ PER REGISTRATION, A DEFICIT WOULD BE CREATED IN THE AMOUNT OF \$62,500. IF THIS BILL IS PASSED AS AMENDED ALLOWING ONLY AN ADDITIONAL .50¢ FOR POSTAGE, A DEFICIT WOULD STILL EXIST IN THE AMOUNT OF \$37,500.

*H. Transp. 3/24/86  
Attach. 10*

WE WOULD LIKE TO CLARIFY THE MANNER IN WHICH THE COUNTY MOTOR VEHICLE DEPARTMENT IS FUNDED. PRIOR TO JAN. 1, 1986 THE COUNTIES WERE ALLOWED TO RETAIN \$1.25 PER REGISTRATION TO BE DEPOSITED IN COUNTY TREASURER'S SPECIAL FUND. THESE FUNDS PROVIDE FOR PERSONNEL BENEFITS AS WELL AS ALL EQUIPMENT AND SUPPLIES NEEDED TO OPERATE THE MOTOR VEHICLE DEPARTMENT. IT WAS NECESSARY IN 1985 FOR THE TREASURERS TO REQUEST ADDITIONAL FUNDS TO ACCOMODATE INCREASES IN AREA OF WAGES, HOSPITALIZATION, SOCIAL SECURITY, SERVICE CONTRACTS, MATERIALS AND EQUIPMENT. THIS INCREASE WAS GRANTED BY PASSAGE OF SENATE BILL 155 WHICH WENT INTO EFFECT ON JAN. 1, 1986. THIS BILL HAD NO EFFECT ON MAILING FEES.

QUESTIONS HAVE ARISEN CONCERNING THE BALANCE OF FUNDS REMAINING IN THE MOTOR VEHICLE DEPARTMENT AT THE CLOSE OF EACH YEAR. AT THE PRESENT TIME THE STATUTE REQUIRES THIS BALANCE BE CREDITED TO THE COUNTY GENERAL FUND. IN WYANDOTTE COUNTY THE FOLLOWING AMOUNTS WERE CREDITED TO COUNTY GENERAL FUND:  
1983 = \$5,529.08, 1984 = \$2,679.10, 1985 = -\$1,920.12.

THE INTENT OF CREDITING ANY REMAINING BALANCE OF FUNDS TO COUNTY GENERAL FUND WAS TO COMPENSATE FOR FACILITIES AND UTILITIES WHICH THE COUNTY PROVIDES FOR THE MOTOR VEHICLE DEPARTMENT. AS YOU CAN WELL SEE, OUR MOTOR VEHICLE DEPARTMENT COULD NOT EXIST WITHOUT THE ASSISTANCE OF THE COUNTY.

IN REGARDS TO THE INSUFFICIENT AMOUNT OF MONEY ALLOWED FOR THE POSTAGE, WE RESPECTFULLY REQUEST THAT AN INCREASE IN THE AREA OF POSTAGE BE MADE IN THE AMOUNT OF \$2.00 FOR EACH ISSUANCE YEAR FOR THOSE WHOM WISH TO RENEW BY MAIL. WE WOULD APPRECIATE

THE ASSISTANCE OF YOUR COMMITTEE IN PROVIDING AN AMENDMENT TO THIS BILL THAT WOULD ADDRESS SUFFICIENT POSTAGE.

THE PASSAGE OF THIS BILL WITHOUT FURTHER AMENDMENT WOULD RESULT IN CHANGES TO MANY LICENSE DEPARTMENTS. IN WYANDOTTE COUNTY ALONE, 2 EMPLOYEES WOULD HAVE TO BE LET GO AS THEIR WAGES WOULD HAVE TO BE APPLIED TO POSTAGE COSTS. IN AN ENVIRONMENT WHERE MORE EMPLOYEES ARE ACTUALLY NEEDED, WE WOULD HAVE TO CUT BACK AND AS A RESULT, PLACE AN ADDITIONAL UNDUE BURDEN ON THOSE TAXPAYERS WHOM HAVE TO WAIT IN LINE. YOU, AS WELL AS ANY OTHER TAXPAYERS, CAN RELATE TO THE INCONVENIENCE THIS SITUATION WOULD PROVIDE.

THANK YOU VERY MUCH FOR YOUR TIME AND ATTENTION. I WILL BE MORE THAN HAPPY TO STAND FOR QUESTIONS.

LADIES AND GENTLEMEN:

MY NAME IS BILL O'BRIEN, JOHNSON COUNTY TREASURER, HERE AS VICE PRESIDENT OF THE KANSAS TREASURERS' ASSOCIATION AND ON BEHALF OF THE MEMBERS OF THAT ASSOCIATION TO REQUEST AN AMENDMENT OF S.B. 438 NOW BEFORE YOU.

AS YOU KNOW, THAT BILL PROVIDES FOR TWO TAGS ON MOTOR VEHICLES INCLUDING TRUCKS LICENSED FOR A GROSS WEIGHT OF 12,000 LBS. OR LESS, EXCEPT FOR MOTORCYCLES.

OUR REQUEST IS THAT, BEFORE THIS BILL IS PASSED THAT IT BE AMENDED TO PROVIDE FOR TWO TAGS ON ALL MOTOR VEHICLES EXCEPT THE TRUCK TRACTOR, MOTORCYCLES AND MOPED.

THE REASONING FOR THIS IS THAT IF TRUCKS ARE LICENSED FOR 12,000 LBS. THEY WOULD BE REQUIRED TO HAVE TWO TAGS. HOWEVER, IF A WEIGHT OF SAY 16,000 LBS. IS REGISTERED, THEN ONLY ONE TAG WOULD BE ISSUED. ON TWO IDENTICAL TRUCKS YOU WOULD EITHER HAVE ONE OR TWO TAGS. IDENTIFICATION OF WHICH WOULD BE CORRECT WOULD BE DIFFICULT AND TIME CONSUMING FOR LAW ENFORCEMENT.

ALSO DURING THE PERIOD OF REGISTRATION THE WEIGHT OF THE TRUCK CAN BE INCREASED WHICH WOULD REQUIRE THE RECALL OF THE TWO TAGS ORIGINALLY ISSUED AND THE ISSUANCE OF ONE TAG SINCE THE WEIGHT WOULD THEN BE OVER THE 12,000 LBS.

ALSO THE WEIGHT CAN BE REDUCED AT REREGISTRATION TIME WHICH WOULD REQUIRE THE TURNING IN OF THE SINGLE PLATE AND THE ISSUANCE OF TWO PLATES, IF REDUCED TO 12,000 LBS.

WE FEEL THE INITIAL ISSUANCE OF TWO PLATES ON ALL TRUCKS EXCEPT TRUCK TRACTORS WOULD AVOID THE PROBLEMS THAT WE FORESEE BY LAW ENFORCEMENT OFFICERS IN DETERMINING WHETHER A TRUCK SHOULD HAVE ONE OR TWO PLATES AND BY THE TREASURERS IN ISSUING, RECALLING AND REISSUING PLATES BECAUSE THE WEIGHT CARRIED OR TOWED BY THE TRUCK IS CHANGED.

*H. Transp. 3/24/86  
Attach. 11*