

Approved 3-26-86
Date

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 March 20, 1986 in room 254-E of the Capitol.

All members were present except:

Sen. Doyen and Sen. Francisco were excused.

Committee staff present:

Arden Ensley, Revisor of Statutes
Hank Avila, Legislative Research Department
Ben Barret, Legislative Research Department
Louise Cunningham, Secretary

Conferees appearing before the committee:

Rep. J. Patterson
Lt. Bill Jacobs, Kansas Highway Patrol
Ed DeSoignie, Department of Transportation

HEARING ON H.B. 2633 - Requiring use of headlights during rain, fog or smoke.

Rep. Patterson explained the bill and said he had an amendment which would require headlights when windshield wipers are in continuous use. A copy of the proposed amendment is attached. (Att. 1).

There was some discussion about the Uniform Vehicle Code and that this should really be a part of that code. It is confusing when people drive through different states and have different laws.

Ed DeSoignie, DOT, said the present statute conforms to the Uniform Vehicle Code and the proposed language does not conform. The bill may result in fewer accidents and therefore the Department is supportive of the bill.

A copy of his statement is attached. (Att. 2).

Lt. Jacobs answered questions from the committee and said this kind of law is very difficult to enforce. They do stop people when they should have headlights on when it is raining but it would be difficult to determine if their windshield wipers were running "continuously" and should therefore, have lights on. He said maybe the lights should be on all the time when the vehicle is being driven. They could be hooked up to the ignition switch. He said there are now so many rules and regulations that enforcement officers have to constantly be reading up on them. People going from state to state would be confused.

The committee also discussed how this could be used for grounds for lawsuits in accidents. There could be a comparative negligence involved. It is just one more way to confuse the situation about who is really at fault. It would just be one more "hoop" to jump through.

The Chairman said a motion had been suggested by Rep. Kline and Rep. Rezac to amend the bill by inserting "from sunset to sunrise" in the bill. A copy of this proposed amendment is attached. (Att. 3). There was no interest in the amendment.

A motion was made by Sen. Walker and was seconded by Sen. Frey to recommend H.B. 2633 not be passed. Motion carried.

Meeting was adjourned at 9:25 a.m.

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 3-20-86 Place 254-E Time 9:00

GUEST LIST

NAME

ADDRESS

ORGANIZATION

Lt. BILL JACOBS	TOPEKA	KANSAS HIGHWAY PATROL
Jim Patterson	Independence	Leg.
Ron Calbert	NEWTON	U.T.U.

STATE OF KANSAS

HOUSE OF REPRESENTATIVES

MR. CHAIRMAN:

I move to amend HOUSE BILL NO. 2633, on page 1, in line 27, after "(2)" by inserting the following: "during any time when the windshield wipers are in continuous use; (3)"; in line 33, by striking "(3)" and inserting "and (4)"

_____ District.

S. TULL 3/20/86
ATT. ①

KANSAS DEPARTMENT OF TRANSPORTATION



JOHN B. KEMP, Secretary of Transportation

JOHN CARLIN, Governor

MEMORANDUM TO: The Honorable Bill Morris, Chairman
Senate Committee on Transportation and Utilities

FROM: Mr. Edward R. DeSoignie *ED*
Policy Coordinator

REGARDING: House Bill 2633

DATE: March 20, 1986

House Bill 2633 amends K.S.A. 8-1703 to require lighted head lamps on motor vehicles during any time when rain, smoke, or fog make persons or vehicles on the highway difficult to see. Presently, the statute conforms with the Uniform Vehicle Code and stipulates conditions of insufficient light, or unfavorable atmospheric conditions, or at any time from one-half hour after sunset to one-half hour before sunrise as requiring lighted head lights.

While the proposed language does not conform with the Uniform Vehicle Code, it sets out in greater detail when lighted head lamps are required. The bill therefore may result in reductions in motor vehicle accidents.

House Bill 2633, if enacted, would not impact the Department over and above the Governor's FY 1987 budget recommendation for the agency.

The Department is supportive of the bill.

*S.T. 4 3/20/86
ATT. (2)*

STATE OF KANSAS

PHIL KLINE
REPRESENTATIVE, NINETEENTH DISTRICT
OVERLAND PARK
7505 WEST 93RD STREET
OVERLAND PARK, KANSAS 66212



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
VICE CHAIRMAN: JOINT COMMITTEE ON STATE
BUILDING CONSTRUCTION
MEMBER: EDUCATION
ELECTIONS
LOCAL GOVERNMENT

MR. CHAIRMAN:

I move to amend HOUSE BILL NO. 2633, On page 1, by striking all in line 26 and inserting the following: "from sunset to sunrise".

S. TULL 3/20/86

ATT. (3)