

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Rex Crowell at  
Chairperson

1:30 ~~am~~/p.m. on January 22, 1987 in room 519-S of the Capitol.

All members were present except: Representative Laird

Committee staff present:

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

Conferees appearing before the committee:

Representative Kathleen Sebelius  
Trooper Charles Kohler, Kansas State Troopers Association  
Trooper Bill Brockman, Kansas State Troopers Association  
Mr. Leroy Jones, Brotherhood of Locomotive Engineers

The meeting was called to order by Chairman Crowell, and he announced the main order of business would be to receive requests for bills.

Representative Kathleen Sebelius requested introduction of legislation which would allow widows of POW's to keep what is now special prisoner of war license plates until they either remarry or die. (See Attachment 1)

Representative Sebelius distributed among Committee members a memorandum from the Kansas Department of Revenue, which explained the fiscal impact of the bill. (See Attachment 2)

A motion was made by Representative Justice that the request be introduced as a Committee bill. The motion was seconded by Representative Wilbert. Motion passed.

Trooper Charles Kohler, Kansas State Troopers Association, outlined changes and additions to the Kansas Statutes that they wished to request be introduced as Committee legislation.

Trooper Kohler recommended changes and additions to the following:  
1) KSA 8-135 or 8-142 regarding vehicle registration; 2) KSA 8-1506 regarding authorized emergency vehicles; 3) KSA 8-1734 regarding braking systems for motor vehicles; 4) A section on careless driving; 5) A section on driving while impaired; 6) regarding enforcement of KSA 40-3104 pertaining to motor vehicle liability insurance coverage; 7) Section KSA 8-198 concerning nonhighway vehicles; and 8) KSA 8-1720 concerning lights on authorized emergency vehicles. (See Attachment 3)

Trooper Bill Brockman, Kansas State Troopers Association, outlined suggestions for legislation as follows: 1) Require all wreckers to attach not less than two red lights to vehicles being towed; 2) Require all motorized bicycle operators to wear eye protection; 3) Require all emergency vehicles to use "wig-wag" headlights; 4) Require proof of liability insurance for borrowed vehicles; 5) Re-establish a careless driving law. (See Attachment 4)

A motion was made by Representative Smith that the requests be introduced as Committee bills, with the exception of Request No. 7 of Trooper Kohler's requests. The motion was seconded by Representative Shore. Motion passed.

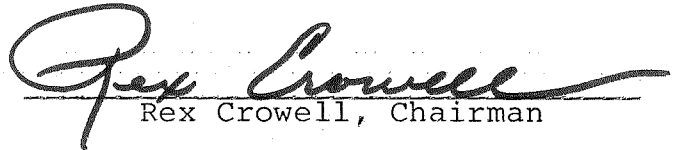
CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,  
room 519-S, Statehouse, at 1:30 ~~xxx~~/p.m. on January 22, 1987

Mr. Leroy Jones, Brotherhood of Locomotive Engineers, requested legislation be introduced that would require school buses to stop at all railroad grade crossings.

A motion was made by Representative Spaniol that the request be introduced as a Committee bill. The motion was seconded by Representative Sutter. The motion passed.

The meeting was adjourned at 2:35 p.m.

  
Rex Crowell, Chairman

COMMTEE: Transportation

DATE: 1-22-87

PLEASE PRINT

NAME	ADDRESS	COMPANY/ORGANIZATION
Hubert D Keil	1509 Juni St <sup>Pittsburg</sup>	Pittsburg State University
Virginia Wilbert		✓
Helen B Reed	" "	" "
Gat Hubbell	Topeka	Kansas Railroad Assn
Pat W. Dieckman	Topeka	KADRA
Dan Ramlow	TOPEKA	KS Contractors Assn
Ed DE SOIGNIE	TOPEKA	KDOT
RON CALBERT	NEWTON	United Transportation Union
RAY BAILIFF	LEAVENWORTH	KSTA
JEFF COLLIER	FORT SCOTT	KSTA
CHARLES KOHLER	IL	
Bill Brockman	3815 CANTERBURY TOW RD TOPEKA, KS	KSTA
Tom Whitaker	Topeka	Ks Motor Carriers Assn
MARY E. TURKINGTON	"	"
Leroy Jones	Overland Park	Brotherhood of Locomotive Engineers
Mike Germann	Topeka	Ks R/R Association

## HOUSE BILL NO. \_\_\_\_\_

AN ACT concerning motor vehicles; providing prisoner of war license plates for surviving spouses of prisoners of war; amending K.S.A. 1986 Supp. 8-177c and repealing the existing section.

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

Section 1. K.S.A. 1986 Supp. 8-177c is hereby amended to read as follows: 8-177c. (a) As used in this section, "prisoner of war" means any person who was held as a prisoner of war while serving in the army, navy, coast guard, air force or marine corps of the United States in World War I or World War II or while serving with the armed forces of the United States during the military, naval and air operations in Korea, Viet Nam or other places under the flags of the United States and the United Nations or under the flag of the United States alone.

(b) Any owner of a passenger vehicle or truck of gross weight of 12,000 pounds or less, who is a resident of the state of Kansas, and who submits satisfactory proof to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, that such person is a former prisoner of war or is the surviving spouse of a former prisoner of war, may, upon compliance with the provisions of this section, be issued one distinctive license plate designating such person as a prisoner of war. The license plate shall be issued for the same period of time as other license plates are issued upon proper registration without payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto. Only one distinctive license plate may be issued to any prisoner of war or surviving spouse of a prisoner of war, to be displayed on such a vehicle owned by such person.

(c) Any such prisoner of war or surviving spouse of a

prisoner of war may make application for the distinctive license plate, not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for the distinctive license plate shall furnish the director with such proof as the director shall require that the applicant was a prisoner of war or is the surviving spouse of a prisoner of war. Application for the registration of a passenger vehicle or truck and issuance of the distinctive license plate under the provisions of this section shall be made by the owner in a manner prescribed by the director of vehicles upon the appropriate form furnished by the director.

(d) Any registration or distinctive license plate issued under the authority of this section shall not be transferable to any other person, except to the surviving spouse of a prisoner of war.

(e) Renewals of registration hereunder shall be made annually, without charge, in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until the applicant has filed with the director a form as provided in subsection (c). If the form is not filed, the applicant shall be required to register the motor vehicle as provided in K.S.A. 8-143, and amendments thereto, and return the distinctive license plate to the county treasurer.

(f) The rights of the surviving spouse of a prisoner of war under this section shall terminate upon remarriage of such person.

(g) Nothing in this section shall authorize the surviving spouse of a prisoner of war to be issued a distinctive license plate under this section, unless the deceased prisoner of war had already been issued such distinctive license plate.

Sec. 2. K.S.A. 1986 Supp. 8-177c is hereby repealed.

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

MEMORANDUM

TO: Mr. Gary L. Stotts, Acting Director      DATE: February 4, 1986  
Division of the Budget

FROM: Kansas Department of Revenue

RE: Senate Bill 460,  
As Introduced

Brief of Bill: Senate Bill 460, as introduced, amends K.S.A. 1985 Supp. 8-177c.

This bill provides for the issuance of a "prisoner of war" license plate to the surviving spouse of a prisoner of war, upon submission of satisfactory proof, and only if the deceased prisoner had been issued a plate prior to death. The surviving spouse's right to such a plate shall be terminated upon remarriage.

Fiscal Impact: It is estimated that passage of this bill could reduce the State highway funds by \$9,000 in FY 1987. County collections could be reduced by an estimated \$1,000.

From the inception of the POW plate, January 1, 1984, through January 21, 1986, there have been 582 POW plates issued. Assuming that surviving spouses will choose to keep these plates upon the death of the POW, and that POW registrations are distributed by vehicle weight in the same proportion as general registrations, the impact is:

<u>Vehicle Weight</u>	<u>% Total Regis.</u>	<u>No. POW</u>	<u>Fee/each</u>		<u>Total Fees</u>	
			<u>State</u>	<u>Co.</u>	<u>State</u>	<u>Co.</u>
0000-3000	38%	221	\$12.25	\$1.75	\$2,707.25	\$ 386.75
3001-3999	45	262	15.50	1.75	4,601.00	458.50
4000-4500	12	70	18.75	1.75	1,312.50	122.50
4501-up	5	29	25.25	1.75	732.25	50.75
TOTAL		582			\$8,813.00	\$1,018.50

Administrative Costs: Any administrative costs associated with enactment of this bill would be minimal, and could be absorbed by the Division of Vehicles.

Administrative Comments: The Department respectfully requests that this bill be made retroactive to include any spouse of a deceased prisoner of war who had a POW plate upon the prisoner's death, but has since surrendered the plate, provided that the spouse has not remarried.

*Attach. 2*



## KANSAS STATE TROOPERS ASSOCIATION

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LARRY MOSSMAN  
316-221-9500  
Box 195  
Winfield, Ks. 67156

January 22, 1987

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Kansas House of Representatives  
Transportation Committee  
Chairperson Crowell

REFERENCE: Changes and additions to Kansas Statutes Annotated

Dear Chairperson Crowell:

The Kansas State Troopers Association respectfully recommend the following changes and additions to the Kansas Statutes.

1. A new section under KSA 8-135 or 8-142 regarding registration of vehicle. NEW SECTION would read: Any vehicle operated on the highway shall display current registration. Any vehicle operated after 30 days of expiration of registration maybe removed from the highway until such vehicle is properly registered or a NON-HIGHWAY use title is presented.
2. A new sentence added to KSA 8-1506 regarding Authorized Emergency Vehicles: 8-1506 (C), add to sentence "making use of audible signal meeting the requirements of KSA 8-1738 :ADD "in posted speed limits under 55 MPH."
3. A new sentence added to KSA 8-1734 regarding Braking systems for motor vehicles and combinations of vehicles: ADD to (a): All vehicles or combination of vehicles will retain all braking systems such vehicle or combination of vehicles was manufactured with.
4. A new section on CARELESS driving: Any person who operates a vehicle in a manor which could or does cause injury or damage to himself or others or who operates a vehicle in an inattentive manor shall be guilty of an infraction.
5. A new section on DRIVING WHILE IMPAIRED: ADD; (1)a: The alcohol concentration in the person's blood or breath, at the time or within two hours after the person operated or attempted to operate the vehicle is .05 to .099 shall be considered impaired.

Attach. 3

6. Allow enforcement of 40-3104 MOTOR VEHICLE LIABILITY INSURANCE COVERAGE REQUIRED. Allow subsection (d) to be used with 40-3107(a) (b) (c) by Law Enforcement Officers.
7. Update section KSA 8-198 NONHIGHWAY VEHICLES.
8. Add to KSA 8-1720 (b) Lamps and lights on authorized Emergency Vehicles: Except that headlamps may alternately flash from either high to low beam or flash together.

Thank you for you consideration and attention.

Charles Kohler  
Secretary  
Kansas State Troopers Association





# KANSAS STATE TROOPERS ASSOCIATION

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1. Require all wreckers, day and night to attach not less than (2) lights, which shall be red in color, to the outer most extremities and the rear most point of all vehicles and trailers being towed by said wrecker. All lights shall be stop, tail and turn signal.
2. Require all motorized bicycle operators to wear eye protection. (Section 8-1598(b) requires motorcycle operators to wear eye protection, but not motorized bicycle operators, moped.
3. Require all emergency vehicles to use wig-wag headlights as required when operating under section 8-1738(d).
4. Section 40-3104(d) and (e). Liability Insurance. The state has developed a problem by requiring the driver of a motor vehicle to show proof of liability insurance, which is a good law, providing the driver is the owner. However if a person borrows a vehicle and does not own a vehicle, they are still required to show proof of insurance. The driver is automatically suspended because he can not insure a vehicle if they do not own one, or purchase insurance for a vehicle that they do not own.  
  
 My suggestion to this problem is: Allow an officer to tow and hold the vehicle until the owner appears in person to show the officer proof of liability insurance on that vehicle or to except a Notice to Appear in court for no liability insurance, and not cite the driver if they are not the owner.
5. Re-establish a careless driving law. The cities have used it effectively for years. It could be implemented under the infraction laws and not be as strict as the reckless driving law. It would benefit the Patrol in many ways. It would give us a law to cite drivers who go to sleep, run off of the road and wreck their vehicles. As we have no law to cite them under at present.

Attach. 4