

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 31, 1987 in room 519-S of the Capitol.

All members were present except: Representative Joan Adam

Committee staff present:

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

Conferees appearing before the committee:

Secretary Harley T. Duncan, Kansas Department of Revenue
Mr. Ed DeSoignie, Kansas Department of Transportation
Sgt. Bob Giffin, Kansas Highway Patrol

The meeting was called to order by Chairman Crowell, and the first order of buisness was Committee discussion and action on HB-2572 concerning drivers' licenses; relating to nonresident drivers employed in the state.

Committee discussion was held concerning striking Lines 148-153 of HB-2572. Secretary of Revenue Harley T. Duncan explained that language in Lines 148-153 would allow a 16 year old to drive a school bus.

A motion was made by Representative Laird to strike Lines 148-153 from HB-2572. The motion was seconded by Representative Smith. Motion carried.

A motion was made by Representative Laird that HB-2572 be recommended as amended favorable for passage. The motion was seconded by Representative Brown. Motion carried.

The next bill taken up for Committee discussion and action was SB-311 concerning the Junkyard and Salvage Control Act.

Representative Shore presented the subcommittee report and explained the bill to the Committee.

A motion was made by Representative Shore that SB-311 be recommended favorable for passage. The motion was seconded by Representative Dillon.

A substitute motion was made by Representative Brown that SB-311 be amended by requiring proof of approval by local governing bodies for initial applications for a certificate of compliance rather than approval of city and county governing bodies. The motion was seconded by Representative Moomaw. Motion carred.

A motion was made by Representative Shore that SB-311 be recommended favorably as amended. The motion was seconded by Representative Sutter. Motion carried.

The next order of business was a hearing on HB-2576 concerning speed limits.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:30 ~~xxx~~/p.m. on March 31, 1987

Mr. Ed DeSoignie, Kansas Department of Transportation, testified in opposition to HB-2576. (See Attachment 1)

Mr. DeSoignie said KDOT requests the Committee take one of the following courses of action on HB-2576: 1) Take no action on the bill until such time as either the President's veto is overridden or enabling legislation is enacted by the Congress permitting states to raise their speed limits to 65 mph or 2) Amend HB-2576 on Line 34 to provide that the 65 mph speed limit is contingent upon passage of relevant legislation by the Congress permitting the states to raise their speed limits to 65 mph.

Sgt. Bob Giffin, Kansas Highway Patrol, testified in opposition to HB-2576. (See Attachment 2) He said as a traffic safety organization, the Patrol must oppose HB-2576, and reported the National Safety Council estimates that increasing the interstate speed limit to 65 or 70 miles per hour will result in an additional 600 to 1,000 deaths each year.

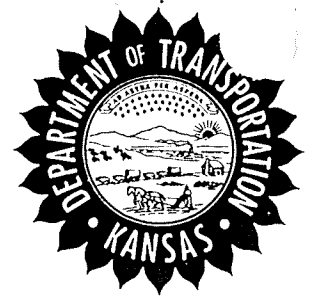
The hearing on HB-2576 was concluded.

The meeting was adjourned at 2:30 p.m.


Rex Crowell, Chairman

KANSAS DEPARTMENT OF TRANSPORTATION

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HORACE B. EDWARDS, Secretary of Transportation

MIKE HAYDEN, Governor

March 31, 1987

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

FROM: Edward R. DeSoignie
Policy Coordinator

REGARDING: House Bill 2576

House Bill 2576, by Committee on Taxation, establishes a 65 mph speed limit on those portions of rural Interstate highways located outside of urbanized areas as defined by 23 USC 101, retaining the 55 mph speed limit in other locations. House Bill 2576 is similar to legislation introduced in the Kansas Senate, Senate Bill 395.

House Bill 2576 came about because of recent actions by the United States Congress approving the 65 mph speed limit in conjunction with the recent Federal-Aid Highway Bill. The Federal-Aid Highway Bill has been vetoed by the President. The House will vote today to consider whether or not to override the President's veto. Information received by the Department indicates that while the veto may be overridden in the House, the President's veto will be sustained by the Senate. Should the veto be sustained, House Bill 2576 would put the Kansas law out of compliance with the federal 55 mph speed limit, jeopardizing up to \$5.3 million in federal-aid funds in the categories of primary, secondary, and urban federal-aid apportionments. Based on these conditions, the Department opposes House Bill 2576.

Should the President's veto be overridden or should the Congress vote to enact the 65 mph speed limit, the Department would amend its position to one of support for House Bill 2576. The Department believes that states should have the authority to establish speed limits within their respective jurisdictions, and is therefore supportive of Congressional action to permit the states to do so.

The Department respectfully requests the House Transportation Committee to undertake one of the following courses of action on House Bill 2576:

- 1) Take no action on the bill until such time as either the President's veto is overridden or other enabling legislation is enacted by the Congress permitting states to raise their speed limits to 65 mph, or

Attach. 1

- 2) Amend House Bill 2576 on line 34 to provide that the 65 mph speed limit is contingent upon passage of relevant legislation by the Congress permitting the states to raise their speed limits to 65 mph.

That concludes my prepared remarks, Mr. Chairman. I'm available for questions. Thank you.

SUMMARY OF TESTIMONY

Before the House Transportation Committee

March 31, 1987

Presented by the Kansas Highway Patrol
(Sergeant Bob Giffin)

House Bill 2576

Appeared in Opposition

The Patrol, as a traffic safety organization, must oppose this bill on the basis of the safety related issues it may effect.

We obviously, have concerns in this respect and will list them for consideration by this committee.

-The National Safety Council estimates that increasing the interstate speed limit to 65 or 70 miles per hour will result in an additional 600 to 1000 deaths each year. The Transportation Research Board estimates an additional 500 deaths per year.

-Following adoption of the National Maximum Speed Limit (NMSL), interstate fatalities decreased 17 percent while miles driven increased only ½ of a percent.

-By 1984, the interstate mileage death rate had dropped to 1.2 per 100 million miles driven despite a substantial increase in miles driven. This rate is ½ of the rate prior to the NMSL.

-One out of 5 drivers on the road in 1984 had never driven under anything but the NMSL.

-Time gained is minimal - on a 100 mile drive only 17 minutes is saved when driving 65 MPH as opposed to 55 MPH.

-Many of today's downsized vehicles afford less driver protection.

-Our experience would indicate drivers would have trouble adjusting from the interstate speed onto a lesser posted roadway and perhaps create additional problems in that respect.

-We estimate that, conservatively speaking, the NMSL has saved 1200+ lives in Kansas. While other factors apply, the speed correlation is too strong to ignore.

-Increased speed equates to fatal and more severe injury accidents and requires greater capability from all drivers. (Persons driving 55 MPH travel at 80.85 feet per second; at 65 MPH this increases to 95.55 feet per second. A very highly skilled driver requires a minimum of ¾ of a second to simply react to a situation before any braking is effected, e.g. - at 65 MPH the vehicle travels 71.66 feet prior to any braking action.)

In all candor, we recognize the fact there are generally two sides to every issue so we would include the following facts:

KANSAS FATALITIES - RURAL INTERSTATE

	<u>FATALITIES</u>	<u>RURAL INTERSTATE</u>	<u>TURNPIKE</u>
1983-	406	10	9
1984-	510	13	18
1985-	486	29	7
1986-	500	10	15
1987 (To Date)	<u>68</u>	<u>0</u>	<u>0</u>
TOTALS	1970	62 (3%)	49 (2%)

We have attached related information for the benefit of this committee and appreciate this opportunity to voice our concern.



**National
Safety
Council**

55 MPH
INFORMATION SHEET

"THE NATIONAL SAFETY COUNCIL STRONGLY SUPPORTS THE NATIONAL 55 MILE PER HOUR SPEED LIMIT. OUR ONLY INTEREST IN THE ISSUE OF LOWERED SPEEDS IS ONE DICTATED BY OUR PURPOSE AND CHARTER: WE WANT TO REDUCE ACCIDENTS AND TO SAVE LIVES."

The reasons the National Safety Council adheres to this policy are as follows:

DEATHS FROM MOTOR VEHICLE ACCIDENTS

1. If the trend in the mileage death rate for the ten years prior to 1973 had continued through 1985, about 80,000 more deaths would have occurred in motor-vehicle accidents from 1974 through 1985 than actually occurred. (See Table)

Estimate of Total Lives Saved, 1974-1985

Year	Vehicle-Miles ¹	Estimated MDR ²	Estimated Deaths	Actual Deaths ³
1974....	1290	4.14	53,406	46,402
1975....	1330	4.03	53,599	45,853
1976....	1412	3.94	55,633	47,038
1977....	1477	3.84	56,717	49,510
1978....	1548	3.75	58,050	52,411
1979....	1529	3.65	55,809	53,524
1980....	1521	3.56	54,148	53,172
1981....	1556	3.48	54,149	51,385
1982....	1592	3.39	53,969	45,779
1983....	1657	3.31	54,847	44,452
1984....	1717	3.23	55,459	46,200
1985....	1765	3.15	55,598	45,700
Cum. Total			661,384	581,426
Difference				79,958

¹Federal Highway Administration. In billions.

²Average annual decrease of 2.45% from 1973 mileage death rate of 4.24 based on linear regression line fitted to 1963-1972.

³National Center for Health Statistics (1974-1983) and National Safety Council (1984-1985).

In the mid-1970s, the Council estimated that between 30 percent and 50 percent of the total lives saved were due to lower and more uniform speeds brought about by the 55 m.p.h. speed limit.

In more recent years, according to the Transportation Research Board report; 55: A Decade of Experience, between 2,000 and 4,000 lives per year are still being saved by the 55 mph limit. The TRB estimate translates into a range of 20 percent to 40 percent of the annual total lives saved in 1984.

Assuming a smooth transition from 30-50 percent in the early years to 20-40 percent now, we can use 25-45 percent to estimate the number of lives saved by the 55 m.p.h. limit over the 12 year period. These percentages, when applied to the 80,000 total lives saved, result in an estimated 20,000 to 36,000 lives saved due to the 55 mph speed limit between 1974 and 1985.

2. The mileage death rate on the nation's highways for 1973 (before the limit was 4.24 per 100-million miles traveled, compared to the 1985 mileage death rate of 2.58.
3. Although the number of miles driven has increased since 1973, the rate of deaths per mile driven actually has decreased by 37 percent.
4. In a collision, the chances that a motor vehicle occupant will be fatally injured doubles with each 10 miles of speed over 55 mph that the vehicle is traveling.
5. Eighteen percent of all accidents occur in areas posted at 55 mph; 51% of all fatalities occur in these areas and 22% of all injuries, according to National Highway Traffic Safety Administration.

EFFECTS OF RAISING SPEED LIMITS ON INTERSTATE ROADWAYS

1. If all states raised the speed limit to 65 or 70 mph on the interstate system, the National Safety Council estimates that an additional 600 to 1,000 deaths would result each year.

The Transportation Research Board estimates that an additional 500 deaths would occur each year if the speed limit were raised on the interstate system.

2. In 1973, the mileage death rate on the interstate highway system was 2.4 per 100-million miles driven.

After the 55 mph speed limit was effected the death toll on the interstate system dropped to 2.0 per 100-million miles driven.

This represented a 17 percent reduction in fatalities while miles driven increased only 1/2 of one percent.

In 1984, the mileage death rate had dropped to 1.2 per 100-million miles driven despite a substantial increase in miles traveled.

- 3. The interstate highway system may have been designed for speeds higher than 55 mph, but drivers and smaller cars were not. Smaller, lighter cars give less protection in crashes.

COMPLIANCE WITH THE NATIONAL 55 MPH SPEED LIMIT

Compliance with the national 55 mph speed limit has slackened somewhat since the law was adopted in 1974, but according to the Highway Users Federation the annual percent of drivers exceeding 55 mph remains far below pre-1974 levels, as indicated here:

<u>YEAR</u>	<u>AVERAGE SPEED</u>	<u>PERCENT EXCEEDING 55 MPH</u>
1970	59.2	66%
1972	60.3	68%
1974	55.3	50%
1976	55.6	54%
1978	56.3	56%
1980	55.2	50%
1981	54.9	49%
1982	55.3	53%
1983	55.7	54%
1984	55.9	56%

INJURIES FROM MOTOR VEHICLE ACCIDENTS

Paralyzing spinal cord injuries are down 60 percent as a result of the reduced speed limit, according to the American Medical Association. Thus motor vehicle crashes are no longer the number one cause of spinal injuries in the country.

YOUTHFUL DRIVERS ON THE ROAD

One of five drivers on the road in 1984 was a new driver who had not been licensed in 1973 and had always driven under posted 55 mph speed limit. Since 1973, states have licensed more than 30 million new drivers, many of them in younger age groups. Drivers under the age of 25 years are involved in about 33 percent of all fatal motor vehicle accidents. These drivers are not experienced in driving a vehicle at higher speeds.

TIME SAVINGS

The time gain is minimal.

<u>SPEED</u>	<u>10</u>	<u>20</u>	<u>35</u>	<u>50</u>	<u>100</u>
65 mph	9 min.	18 min.	32 min.	46 min.	1 hr. 32 min.
60 mph	10 min.	20 min.	35 min.	50 min.	1 hr. 40 min.
55 mph	11 min.	22 min.	38 min.	55 min.	1 hr. 49 min.

(Sources: Federal Energy Administration, Federal Highway Administration and U. S. Department of Transportation)

SMALL CARS

1. Many of the cars manufactured and purchased over the past decade are what we consider small cars. The smaller, lighter cars give motorists less protection in crashes.
2. Reduced speeds provide drivers better control of their vehicle and more time to avert hazards thereby reducing the possibility of accidents.

OTHER FACTS

The Minnesota Safety Council had two experimental drivers travel over the same 1,000 mile route in similar vehicles. The fast driver passed 2,000 cars, braked 1,339 times and covered the distance in 20 hours, 12 minutes. The slow driver flowed with traffic, passed only 13 cars and braked 652 times. It took him 20 hours, 43 minutes; 31 minutes longer than the fast driver. The faster car used 10 gallons more gas, and the driver's pulse rate rose because of the tension and risks he had taken.

Average life expectancy increased by 1.8 years from 1972 to 1976. The 55 mph gets some of the credit for the increase. One insurance company actuarial study (New England Mutual Life) says the sudden advance in life expectancy resulted from medical progress and better self care, "but mostly to the 55 mph speed limit on highways." Between 1976 and 1979 average life expectancy has increased an additional 1.6 years.

A September 1982 Gallup poll reports that 76 percent of Americans want to keep the 55 mph speed limit.

The results of a poll conducted by R.H. Bruskin Associates, which was published in the February 19, 1985 U.S.A. Today, reported that 50.4 percent of the respondents prefer speeds ranging from 51 mph to 55 mph.

CONCLUSION

The 55 mph speed limit is still this nation's best single device for saving lives and preventing injuries from motor vehicle accidents.

National Safety Council
1986

SPONSOR: Governor Deukmejian
SUBJECT: National Maximum Speed Limit

A. BACKGROUND

1. In 1974, the United States Congress enacted the 55 MPH National Maximum Speed Limit (NMSL) as an emergency fuel conservation measure. The 55 limit has been retained because of its significant safety benefits.
2. Traffic regulation has traditionally been a state responsibility. To ensure nationwide adoption of the 55 limit, Congress required all states to adopt conforming legislation or lose federal highway funding.
3. Average and 85th percentile speed on certain Interstate highways and freeways have been steadily increasing, and are approaching pre-55 levels.
4. Selectively increasing the speed limit on major rural Interstate highways and freeways will increase the efficiency of state transportation systems, foster greater respect for traffic laws, and allow law enforcement resources to be redirected without significantly reducing highway safety.
5. Federal regulations now require each state to annually certify that no more than 50 percent of its motorists are exceeding the 55 MPH limit or be subject to the sanction of designated highway funds.
6. The Transportation Research Board (affiliated with the National Research Board) has recommended that the federal government adopt a system of compliance measurement which better recognizes safety priorities. Congress is presently considering adoption of compliance measurement procedures which would assign greater significance to higher speed violations and those which occur on less safe roadways.

B. GOVERNORS' POLICY STATEMENT

1. We support allowing states the flexibility to increase the maximum speed limit on selected rural Interstates and freeways where safety would not be significantly reduced.
2. We support adoption of a safety-based method of compliance measurement which considers the severity and location of noncompliance.
3. We encourage the establishment of a compliance threshold which would be equitable for all states, recognizing the unique driving conditions in different regions. In the event sanctions are imposed, highway safety-related projects should be exempted to avoid compounding the negative safety impacts of NMSL noncompliance.

Different Speeds for Different Needs

There are two things truly uniform about the national 55-mile-an-hour speed limit: It is uniformly violated and it is uniformly mocked. President Reagan, hoping to boost Republican prospects this fall, has endorsed repealing it in favor of limits set by the states. This change is warranted regardless of politics.

The national 55-mile limit is an idea whose time has passed. It is a nightmare of enforcement hypocrisy for the states. Virtually no one regularly keeps to the 55-mile limit. Yet Federal highway funds are still withheld from states that don't adequately enforce it.

The 55-mile limit is not useless. Far from it. It was adopted during the 1973 Arab oil embargo to save fuel. It does that — as much as 2 percent a year. More important, it saves lives, perhaps as many as 4,000 a year. Those who want to keep the limit, like Joan Claybrook, former Administrator of the National Highway Traffic Safety Administration, contend that those saved lives are reason enough to retain it.

They're right, up to a point. The limit ought to be maintained on many roads — and most, if not all, of those 4,000 lives will still be saved. As for other highways, the cost-benefit trade-offs are complex.

Police agencies ought to decide, for instance, whether enforcing the limit is worth the loss of resources for tasks that might save more lives, like pursuing drunken drivers. There is good reason to believe that the 55-mile limit can be selectively and safely relaxed. Highway engineers in state after state have determined that on certain routes speed limits could be raised, to 65, without causing more accidents. Many highways, after all, were designed to be driven at speeds up to 70.

The main problem with the 55-mile limit is that it is universal. It treats sparsely traveled Interstate highways in Montana just like the Long Island Expressway, where traffic regulates speeds far more effectively than any law. Compare that with arrow-straight Interstates with not another car in sight all the way to North Platte. As Westerners frequently observe, on roads like that, falling asleep at the wheel from boredom is more of a danger than hitting another car.

The President does not endorse a particular speed limit bill, nor is there any reason to do so. Let each state decide on which roads the limit can safely be raised to 65. Common sense about safety is already uniform across the states; the exact speed limit need not be.