

Approved 3/19/87
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 17, 1987 in room 254-E of the Capitol.

All members were present except:

Sen. Norvell

Committee staff present:

Hank Avila, Legislative Research Department
Ben Barrett, Legislative Research Department
Bruce Kinzie, Revisor
Louise Cunningham, Committee Secretary

Conferees appearing before the committee:

Hank Avila reviewed House Bills which have been assigned to this Committee. A copy of his memorandum explaining all the bills dated March 16, 1987, is attached. (Att. 1).

The Chairman told the Committee that a tentative schedule for hearings on these bills has been set up and if they were interested in the dates they were available in his office.

A bill that was not included in the Memorandum is H.B. 2491 relating to agricultural ethyl alcohol. This bill is an attempt to help farmers sell Kansas grain rather than to help farmers in other states. This has been done in several other states.

A motion was made by Sen. Hayden and was seconded by Sen. Francisco to approve the Minutes of March 10, 1987. Motion carried.

Meeting was adjourned at 9:40 a.m.

DATE: 3-17-87

254-E
9⁰⁰ a.m.

GUEST REGISTER
SENATE
TRANSPORTATION AND UTILITIES COMMITTEE

NAME

ORGANIZATION

ADDRESS

Tom Whitaker

Ks Motor Carriers Assn

Topeka

John Bottenberg

Ks Ethanol Assoc

TOPEKA

Pat Hubbell

Kansas Railroad Assoc

Topeka

MEMORANDUM

March 16, 1987

TO: Senate Transportation and Utilities Committee
FROM: Legislative Research Department
RE: House Bills Assigned to Committee

H.B. 2101, as introduced, 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 of war had been issued a plate prior to his death. The surviving spouse's right to such plate terminates upon remarriage.

H.B. 2138 designates United States Highway 73 as the Amelia Earhart Memorial Highway. The Secretary of Transportation is required to place markers along the highway right of way to indicate that the highway is the Amelia Earhart Memorial Highway. The Secretary may accept and administer gifts and donations to aid in obtaining suitable highway signs bearing the proper inscription. The amendment renames that portion of the highway now known as the Lewis and Clark Expedition Route as the Amelia Earhart Memorial Highway.

H.B. 2189 allows the Board of County Commissioners of Sedgwick County to contract with the Kansas Turnpike Authority (KTA) for the purpose of paying to the Authority the cost of building an interchange on the Kansas Turnpike in the vicinity of the turnpike intersection with 71st Street near Haysville. The amendment provides that in the event KTA issues refunding bonds, the current provisions which require the KTA to retire the Sedgwick County bonds issued for the construction of the interchange would not apply. Instead, Sedgwick County may negotiate with the KTA to pay Sedgwick County the cost Sedgwick County incurred under the act for bond principal and interest and costs incidental for the construction of the interchange.

H.B. 2192 permits the movement of vehicles loaded overwidth with two combine headers to travel over highways designated as part of the National System of Interstate and Defense Highways.

H.B. 2203 relates to motor vehicles. It provides that a vehicle dealer must disclose in writing to the ultimate purchaser of a motor vehicle the following: (1) the fact that a motor vehicle was used as a driver training motor vehicle; or (2) the fact that a motor vehicle was used as a leased or rented motor vehicle. "Leased or rented motor vehicle" does not include a motor vehicle which is leased or rented by a vehicle dealer to a customer of such dealer while the customer's motor vehicle is being serviced by such dealer. Any violation is subject to the remedies of the Attorney General found in K.S.A. 50-632, and private remedies as set forth in K.S.A. 50-634.

ATT. 1
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H.B. 2236 would enact a new statute to impose a civil penalty of \$10 on the owner of a registered motor vehicle which, in violation of K.S.A. 8-1556, passes a school bus properly stopped to receive or discharge school children. A defense against the civil penalty is afforded to the owner of the vehicle when another person is being prosecuted for the violation on which the action is based. The driver of a bus which is unlawfully passed may complete a report of the incident and submit such report to the county or district attorney.

H.B. 2239 relates to railroads. The bill makes two clarifying changes:

1. it provides that a railroad right of way will not be considered abandoned if the railroad company or any other entity continues to use the right of way for railroad purposes after abandonment authority has been issued; and
2. it prohibits conveyances of property acquired in strips for right of way to any party other than the landowner unless the railroad's successor maintains operation on the right of way and the railroad owns the title for such purpose.

H.B. 2302 relates to driver's licenses. The bill would eliminate a "motorized bicycle only" license and require a Class C license to operate a motorized bicycle.

H.B. 2306 relates to the sale of bonds by the Secretary of Transportation. Bonds authorized to be issued by the Secretary may be sold either by public or private sale.

H.B. 2399, as amended, relates to the registration of motor vehicles. The bill would delete the requirement for registration decals to contain the letters designating the county in which the vehicle is registered, and requires each license plate to contain the name of the county in which the vehicle is registered across the bottom of the license plate in lettering which is at least three-fourths of an inch high. The county name may be issued on a decal. The requirement that registration decals be serially numbered in each county is removed; the decals then could be serially numbered statewide. The bill also would replace the obsolete term "number plate" with "license plate."

H.B. 2457 relates to Vehicle Dealers' and Manufacturers' Licensing Act to change the licensing period for salesmen from calendar year (January-December) to fiscal year (July-June) and provides for licenses issued on or after January 1, 1987, to expire on June 30, 1988. Applications for renewals of salesmen's licenses received by the Director of Vehicles after July 15 would be considered as new applications under the provisions of this bill.

The House amendment would extend the salesman's license from January 1, 1988 to June 30, 1988. The Director of Vehicles would collect a license fee of \$25 prior to October 31, 1987 from all salesmen licensed on and after January 1, 1987, for this extension.

H.B. 2458 relates to certificates of title. It changes title fees statutes from \$3.50 to \$9.00 until January 1, 1990 at which time the fees revert back to \$3.50. This encompasses applications for original title, duplicate title, secured and reissued titles.

H.B. 2513 relates to fines imposed for oversize or overweight vehicles. All fines imposed for any size or weight violations which occur on a county or township highway in a county which employs a law enforcement officer to enforce the state laws and county and townships resolutions limiting size and weight of vehicles, would be credited to the county general fund.

H.B. 2526 would create a lien on a vehicle towed at the direction of a law enforcement office or the vehicle's owner. The bill institutes a procedure for the sale of the vehicle to enable the towing operator to recover service and sale notice costs. Remaining proceeds of the sale would be deposited in the county general fund.

I87-83/BFB