

Approved 3/25/87 Date _____

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by Sen. Bill Morris at _____
Chairperson

9:07 a.m./~~p.m.~~ on March 24, 1987 in room 254-E of the Capitol.

All members were present except:
Sen. Thiessen

Committee staff present:
Hank Avila, Legislative Research Department
Bruce Kinzie, Revisor
Louise Cunningham, Committee Secretary

Conferees appearing before the committee:
Sen. G. Bogina
Larry Humes, Department of Revenue
Steve Wiechman, Kansas Automotive Dismantlers and Recyclers Association
Jim Sullins, Kansas Motor Car Dealers Association

HEARING ON S.B. 380 - Concerning clinging to outside of moving vehicle.

Sen. Bogina said this was a problem in Kansas City in a local county park. The city ordinances apply but it is difficult to tell which city has jurisdiction as there are two cities. Young people are riding on top of vehicles and there are absolutely no tickets that can be issued to cover such an incident. It is a dangerous practice and this bill is trying to address the problem. This would not be a moving violation but the ticket would be issued to the person clinging to the vehicle, not the driver. The Committee discussed whether this would apply in parades and it was the consensus that parades are isolated cases and unique and would not be enforced during parades.

A motion was made by Sen. Hoferer and was seconded by Sen. Bond to recommend S.B. 380 favorably for passage. Motion carried.

HEARING ON H.B. 2457 - Salesmen's licenses, expiration date.

Larry Humes, Department of Revenue, said they support the bill in its original form. The bill had been amended in the House due to two misconceptions. An erroneous fiscal note had been prepared and an error had been made on the cost of the license fees. A copy of his statement is attached. (Att. 1). They were requesting that the bill be returned to the original House version without the amendments.

Steve Wiechman, KADRA, said a dealer now has to get two licenses. They need a license from the Division of Vehicles to show compliance to the Highway Beautification Act and a license from the Department of Revenue. He was proposing an amendment to this bill which would facilitate the efficient handling of the licensing procedure and coordinate the licensing procedures. In addition to the licensing requirement changes in H.B. 2457 his amendment would prevent the issuance of a license until there was evidence of compliance with the Highway Beautification Act. A copy of his statement is attached. (Att. 2).

Jim Sullins, Kansas Car Dealers Association, said they support the original bill, as written.

Charles Belt, Wichita Auto Dealers Association, said they also support the original bill.

A motion was made by Sen. Hayden and was seconded by Sen. Frey to return H.B. 2457 to the original bill as written, without the House amendments. Motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,
room 254-E, Statehouse, at 9:07 a.m. ~~XXX~~ on March 24, 1987

The Committee wanted to make it clear that no license shall be issued or renewed to any salvage dealer not complying with the Highway Beautification Act. They did not want anyone to be grandfathered into the bill.

Sen. Francisco made a conceptual motion to this effect and it was seconded by Sen. Bond. Motion carried.

A motion was made by Sen. Francisco and was seconded by Sen. Hoferer to recommend H.B. 2457, as amended, favorably for passage. Motion carried.

HEARING ON H.B. 2189 - Turnpike interchange, Sedgwick County.

Sen. Francisco explained the bill to the Committee. He said on February 26, 1986 the three county commissioners approved funding for studies for the interchange on the Turnpike near Haysville. The study showed that the interchange would pay for the operation of the interchange but no debt service for the construction. This bill would allow the County Commissioners to contract with KTA for the purpose of paying KTA the cost of construction of the interchange. The bill also has provisions for a protest petition. Sen. Francisco made a made a motion to amend the bill on line 128 to make it effective upon publication in the state register. Motion was seconded by Sen. Norvell. Motion carried.

A letter was submitted by Tom Scott, Chairman, Board of Sedgwick County Commissioners, dated March 24, 1987 in favor of H.B. 2189. A copy is attached. (Att. 3).

A motion was made by Sen. Francisco and was seconded by Sen. Norvell to recommend H.B. 2189 as amended, favorably for passage. Motion carried.

A motion was made by Sen. Bond and was seconded by Sen. Francisco to approve the Minutes of March 20, 1987. Motion carried.

Meeting was adjourned at 9:45 a.m.

DATE: 3-24-87
254-E

GUEST REGISTER
SENATE
TRANSPORTATION AND UTILITIES COMMITTEE

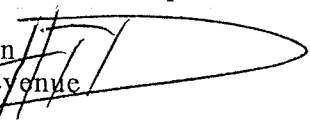
NAME	ORGANIZATION	ADDRESS
Steven Weidner	Kans. Auto Dealers Assn	Topeka
Roberta Weidner	" " " "	"
Paul W. Matthews	Highway Users Federation	Okla. City, OK
SIM SULLINS	Ks Motor Car Dealers Assn	TOPEKA
CHARLES BELT	WICHITA AUTO DEALERS ASSOC.	WICHITA
PAT BARNES	Ks. Motor Car Dealers Assn	TOPEKA
Gene Bojars	Senate	Lenexa



KANSAS DEPARTMENT OF REVENUE
Office of the Secretary
State Office Building · Topeka, Kansas 66612-1588

MEMORANDUM

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

FROM: Harley T. Duncan 
Secretary of Revenue

RE: HB 2457

DATE: March 24, 1987

Thank you for the opportunity to appear before you on HB 2457 relating to the expiration date of vehicle salesperson licenses. The Department requested this bill and supports its passage in the original form.

As introduced, HB 2457 changed the expiration date of vehicle salesperson licenses from December 31 annually to June 30 annually. It also provided, for transition purposes, that licenses issued in 1987 would expire on June 30, 1988 rather than December 31, 1987.

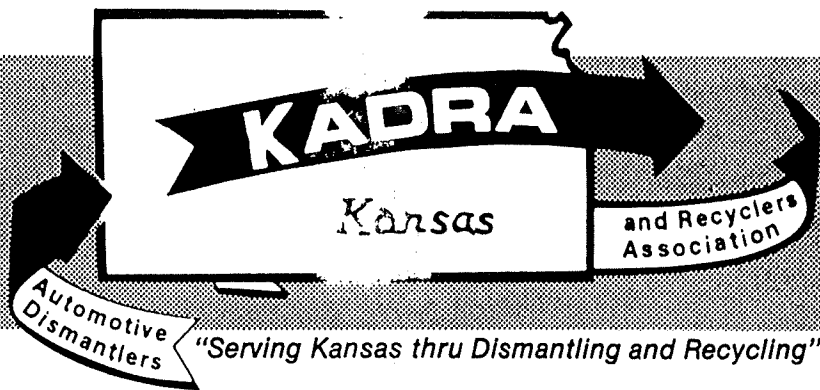
The purpose of the requested change was to even out the work flow in our Dealer Licensing Bureau. This Bureau has two major functions -- licensing dealerships and licensing salespersons -- both of which require annual renewal on January 1 under current law. The requested change would split this workload and help compensate for the 2.0 FTE the 1986 Legislature deleted from this Bureau. To compensate for these reductions, we have had to transfer personnel from other Bureaus during the licensing process and expend funds for temporary personnel.

The House amended the bill to require that a \$25 fee would be collected prior to October 31, 1987 to compensate for the 6-month extension from January through June 1988.

This amendment was based on two misconceptions about the bill. First, the Department had prepared an erroneous fiscal note that indicated the original version of the bill reduced State Highway Fund receipts by \$60,000 in FY 1988. This is incorrect, and we have revised our fiscal note accordingly. The 1988 renewal fee of \$15 will be collected before the close of FY 1988. The only cost of the bill is the interest loss for six months on roughly \$60,000 or about \$2,000 at current interest rates. The \$25 extension fee was based on a presumption that a vehicle salesperson license cost \$50 annually. Instead, they cost only \$15 annually. (See line 94.)

Because of these misconceptions, I believe the House amendments are unnecessary and urge your passage of the bill in its original form. I would be glad to answer any questions.

ATT. 1
T&U 3/24/87



SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

March 11, 1987

HOUSE BILL NO. 2457

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE:

I am Steven R. Wiechman, representing the Kansas Automotive Dismantlers and Recyclers Association. K.A.D.R.A. wishes to express our appreciation for allowing us to appear before you.

As you know, this Committee introduced SB 311, a bill that addresses the concerns of the salvage vehicle industry and the Department of Transportation. Subsequently, SB 311 was referred to the Committee on Local Government, since it also addresses needs of local government in Kansas.

SB 311 creates an orderly process and a sequential procedure for obtaining licenses from both the Department of Revenue and Department of Transportation and is viewed by the DOT as a "clean up" bill. The Department of Revenue agrees that to further facilitate the efficient handling of the licensing procedure and assure that the intent of the changes made in SB 311 are carried out, provisions should be made to coordinate the licensing procedures and give added authority to the Division of Vehicles to compel compliance with the law.

ATT. 2
T&U 3/24/87

Salvage Vehicle Dealer licenses cannot be denied by the Division of Vehicles if an applicant has not complied with the requirements of the Department of Transportation. Even without SB 311, the Division of Vehicles has the statutory authority to deny a license for failure to apply for and comply with the requirements of the Junkyard and Salvage Control Act, more commonly known as the Highway Beautification Act.

Therefore, to the license requirement changes addressed in HB 2457, we propose the addition of a new Section Q which would add: "No license shall be issued to any person to act as a salvage vehicle dealer until the division has received evidence of compliance with the Junkyard and Salvage Control Act as set forth in K.S.A. 68-2201, et seq., and amendments thereto.

K.A.D.R.A. urges the Committee's recommendation for favorable passage of HB 2457 along with the addition of the new Section Q as I have outlined. If you have any questions, I will be happy to try to address them.

Respectfully submitted,

STEVEN R. WIECHMAN
Legislative Counsel for
Kansas Automotive Dismantlers and
Recyclers Association

TOM SCOTT . . . COUNTY COMMISSIONER, 2nd DISTRICT

525 North Main Street

Phone (316) 268-7411

Wichita, Kansas 67203



March 24, 1987

Senate Transportation & Utility Comm.

Ref: House Bill 2189

Mr. Chairman and Members of the Committee:

I wish to express to you and your Committee my strong support for HB 2189, which would provide the authority for the Kansas Turnpike Authority and Sedgwick County to contract for the construction of an interchange on the Kansas Turnpike near Haysville, Kansas, at 71st Street South, in Sedgwick County. This past year, the Board of Sedgwick County Commissioners agreed to pay for traffic and revenue feasibility studies on two new interchange locations in Sedgwick County. The results from the study on the Haysville location show that such a facility would be heavily utilized, with more than enough toll revenue to pay the operational costs of the interchange.

The Haysville/Derby area is one of the fastest growing in Sedgwick County. I believe an interchange at this location would serve both the interests of the community and the Kansas Turnpike Authority. The proposed legislation would simply allow the KTA and Sedgwick County to negotiate an acceptable agreement to construct such an interchange. At this point, no official action has been taken by the Board of Sedgwick County Commissioners, committing Sedgwick County to fund this project. However, I would point out to you and your Committee that Sedgwick County has an established track record regarding interchange projects in cooperation with the KTA. As you know, Sedgwick County provided the initial financing for the new interchanges near Andover and Mulvane, based on similar legislation enacted in 1982. These two projects have greatly increased the utility of the Kansas Turnpike to our area, and I feel the proposed Haysville Interchange would have the same impact.

I urge your favorable consideration of HB 2189.

Sincerely,

Tom Scott, Chairman
Board of Sedgwick County Commissioners

ATT. 3
T&U 3/24/87