

Approved April 15, 1988
Date

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Representative Rex Crowell at
Chairperson

1:30 ~~xx~~/p.m. on February 8, 1988n room 519-S of the Capitol.

All members were present except: Representatives Spaniol, Laird and Wilbert

Committee staff present:

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

Conferees appearing before the committee:

Representative Debbie Schauf
Mr. John Smith, Kansas Department of Revenue
Secretary Harley T. Duncan, Kansas Department of Revenue

The meeting was called to order by Chairman Crowell, and the first order of business was a hearing on HB-2711 concerning the prohibition of exhibition of acceleration.

Representative Debbie Schauf, sponsor of the bill, briefed the Committee on its contents. (See Attachment 1)

Mr. John Smith, Kansas Department of Revenue, Division of Vehicles, spoke concerning HB-2711 and said there is no definition in state statutes of exhibition of acceleration. He said if a violation is received stating "exhibition of acceleration" it will not be recorded.

The hearing on HB-2711 ended.

The next order of business was a hearing on HB-2770 concerning fees for nonhighway certificates of title.

Mr. Harley T. Duncan, Secretary, Kansas Department of Revenue, testified in support of HB-2770. (See Attachment 2)

Secretary Duncan said that HB-2770 provides for a fee increase for nonhighway certificates of title. The fee would be increased from the current \$3.50 to \$9.00.

The hearing on HB-2770 was concluded.

The meeting was adjourned at 1:50 p.m.


Rex Crowell, Chairman

STATE OF KANSAS

DEBARA K. SCHAUF
REPRESENTATIVE, EIGHTY-FIRST DISTRICT
SEDGWICK AND SUMNER COUNTIES
P O BOX 68
MULVANE, KANSAS 67110
(316) 777-4608



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: GOVERNMENTAL ORGANIZATION
LOCAL GOVERNMENT
INSURANCE

FEBRUARY 8, 1988

HOUSE BILL 2711

by REPRESENTATIVE'S SCHAUF & BAKER

I AM REPRESENTATIVE DEBBIE SCHAUF AND THIS BILL WAS INTRODUCED AT THE REQUEST OF BOTH CONSTITUENTS AND INSURANCE AGENTS IN MY AREA.

IT HAS BEEN CALLED TO MY ATTENTION THAT IN MANY LOCAL COMMUNITIES THERE ARE LOCAL ORDINANCES THAT DEFINE EXHIBITION OF ACCELERATION IN A MANNER WHICH IS A LESSOR OFFENSE THAN DRAG RACING ON A PUBLIC HIGHWAY. HOWEVER, WHEN THE TICKETING INFORMATION IS TRANSMITTED TO THE STATE THERE IS NO ALLOWANCE GIVEN FOR THE DIFFERENCE IN THE SEVERITY OF THE CRIME AND THE TICKET WILL BE CODED AS A SP1.

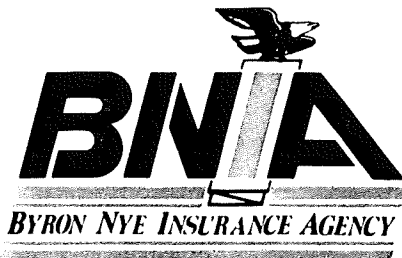
MANY TIMES THIS WILL RESULT IN THE DRIVER, OR HIS PARENTS IN THE CASE OF A JUVENILE, BEING PLACED ON ASSIGNED RISK FOR UP TO 3 YEARS WITH A MUCH GREATER PREMIUM EXPENSE. IN SOME INSTANCES THIS FAILURE TO DIFFERENTIATE FOR THE SEVERITY OF THE CRIME MAY RESULT IN A COMPANY REFUSING TO WRITE INSURANCE FOR AN INDIVIDUAL.

THE INTENT OF THE PROPOSED LEGISLATION IS TO SPECIFY IN STATUTE THE

Att. 1

LESSER OFFENSE OF EXHIBITION OF ACCELERATION, AND TO SPECIFY THAT THE FIRST TICKET FOR THIS OFFENSE WILL NOT BE USED AS A REASON TO RATE UP AN INSURED'S PREMIUM.

ATTACHED TO MY TESTIMONY YOU WILL FIND A COPY OF BYRON NYE, A LOCAL INSURANCE AGENT FROM MULVANE. HIS COMMENTS SUPPORT MY TESTIMONY.



K-15 HIGHWAY • P.O. BOX 100 • MULVANE, KANSAS 67110 • 316-777-0153

1-16-88

REP. DEBARA SCHAUF
STATE HOUSE
OFFICE #174
TOPEKA, KS 66601

REF: EXIBITION OF ACCELERATION VIOLATIONS

DEB;

THE RECODING OF THE STATE'S SP-1 MOTOR VEHICLE VIOLATION NEEDS TO BE DONE BECAUSE OF PROBLEMS THAT IT CAN CAUSE FOR SOME DRIVERS THAT RECIEVE THIS CITATION.

WE HAVE HAD SEVERAL SIMILIAR CIRCUMSTANCES OVER THE PAST SEVERAL YEARS TO WHICH THIS RECODING COULD APPLY.

WHEN A DRIVER GETS AN SP-1 TICKET FOR A MINOR SPINNING OF TIRES, EVEN IN AN ACCIDENTAL SITUATION, IT IS CODED AS RACING ON THE PUBLIC HIGHWAYS. THIS IS A SERIOUS VIOLATION THAT CAN CAUSE A DRIVER TO NOT BE ABLE TO GET CAR INSURANCE FOR FIVE YEARS, UNTIL IT COMES OFF HIS MUR., OR ASSIGNED RISK.

IN SERIOUS SITUATIONS, A POLICE OFFICER WOULD STILL HAVE THE OPTION OF ISSUING A VIOLATION FOR RECKLESS DRIVING, ALSO A SERIOUS VIOLATION.

IT SEEMS THAT IT WOULD BE MUCH FAIRER TO DRIVERS TO MAKE A DISTINCTION BETWEEN SPINNING TIRES AND A RACING CONTEST ON A PUBLIC HIGHWAY.

IF I CAN FURNISH FURTHUR INFORMATION, PLEASE ADVISE.

SINCERELY;

BYRON NYE
AGENCY PRINCIPAL

ALL KINDS OF INSURANCE

Harley A

MEMORANDUM

TO: Mr. Michael O'Keefe
Division of Budget
DATE: February 5, 1988
FROM: Kansas Department of Revenue
RE: House Bill 2770,
As Introduced

BRIEF OF BILL:

House Bill 2770, as introduced, amends K.S.A. 1987 Supp. 8-198 and relates to nonhighway certificates of title. This bill provides for a fee increase of \$5.50 from \$3.50 to \$9.00 for nonhighway certificates of title. This bill would take effect on January 1, 1989..

FISCAL IMPACT:

Passage of this bill would increase the State Highway Fund by approximately \$40,000 in FY 1989 and \$80,000 FY 1990.

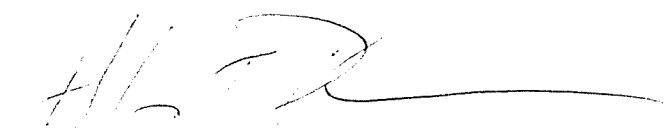
The Department estimates application and production of 14,500 nonhighway certificates of title per year. With an effective date of January 1, 1989, an additional \$39,875 in FY 1989 and \$79,750 in FY 1990 would be generated (7,250 x \$5.50 and 14,500 x \$5.50).

ADMINISTRATIVE COSTS AND COMMENTS:

There would be some minor administrative costs associated with enactment of this bill which could be absorbed by the Department.

This legislation is requested by the Department because of an oversight in 1987 when all other title fees were increased to \$9.00. The Department respectfully suggests that verbage be included in the bill to make the fee increase effective either upon publication in the Kansas Register or July 1, 1988, and to expire on January 1, 1990, in conjunction with 1987 title fee increases.

APPROVED BY:



Harley T. Duncan
Secretary of Revenue

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