

Approved September 19, 1988
Date

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Rex Crowell at
Chairperson

1:30 ~~am~~/p.m. on February 24, 1988 in room 519-S of the Capitol.

All members were present except: Representatives Justice and Laird

Committee staff present:

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

Conferees appearing before the committee:

None

The meeting was called to order by Chairman Crowell, and a letter from the Kansas Department of Transportation dated February 17, 1988, concerning HB-2803, was distributed to Committee members. (See Attachment 1)

Chairman Crowell related that according to the letter, further investigation into alternatives to the Lindsborg sign request would be made by KDOT, and perhaps a brown and white tourist information sign could be erected.

Chairman Crowell distributed copies of a fiscal note on HB-2822, to Committee members, which deals with utility relocations. (See Attachment 2)

The chairman also distributed to Committee members, copies of a letter concerning HB-2716, child passenger safety. (See Attachment 3)

The chairman discussed some changes which could be made to HB-2716. Discussion was held concerning increasing the age from 10 to 14 in HB-2716, as well as discussion on safety belts in general.

The next bill taken up was HB-2954 concerning notification of the Secretary of Transportation of hearings relating to airport zoning.

A motion was made by Representative Spaniol that HB-2954 be recommended favorable for passage and be placed on the Consent Calendar. The motion was seconded by Representative Moomaw. Motion carried.

The next bill taken up was HB-2822 concerning the removal, modification or relocation of public utility structures or facilities.

A motion was made by Representative Mead that HB-2822 be recommended favorable for passage. The motion was seconded by Representative Snowbarger.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:30 ~~am~~/p.m. on February 24, 1988

A substitute motion was made by Representative Shore that HB-2822 be tabled. The motion was seconded by Representative Dillon. Motion carried 11-7 on a division.

The next bill taken up for discussion was HB-2878 which provides an exemption for certain county, city or township vehicles from the special fuels tax. Discussion ensued.

The meeting was adjourned at 2:20 p.m.


Rex Crowell, Chairman

KANSAS DEPARTMENT OF TRANSPORTATION

DOCKING STATE OFFICE BUILDING — TOPEKA, KANSAS 66612-1568
(913) 296 — 3566



HORACE B. EDWARDS, Secretary of Transportation

MIKE HAYDEN, Governor

February 17, 1988

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

RE: Lindsborg Sign Request

The Department of Transportation is aware of legislative interest relative to directional signing for the City of Lindsborg at the intersection of Interstate Highways I-70 and I-135. Further, we understand the interest of the City to promote its cultural heritage, museum, galleries and college.

As noted by the Department in its testimony before the House Transportation Committee on House Bill 2803, the signing proposed at I-70 and I-135 conflicts with the signing manual adopted by the Department and with state-federal agreements. Signing at the Interstate location would establish an undesirable precedent. Additionally, Interstate System signing is reviewed by the Federal Highway Administration (FHWA) and approved or disapproved. If disapproved, the Department would be cited for corrective action. The Department is uncertain of the consequences should it fail to respond affirmatively to an FHWA cite.

As an alternative to such legislation, the Department proposes that it investigate alternatives which may yield the desired result and avoid a confrontation with the FHWA. Therefore, we propose to:

- + Investigate the information in Mr. Avila's communication of August 31, 1987 to Representative Sprague concerning control city designations for purposes of Interstate highway signing, as well as possible exceptions to permit the requested signing.
- + Determine the possibility of erecting brown and white tourist information signs at the location.

With your concurrence, the Department will explore these alternatives and will advise you on the results. If I may be of further assistance, please advise.

A handwritten signature in cursive script that reads "W. M. Lackey".

W. M. Lackey, P.E.
State Transportation Engineer

Attach. 1

The Honorable Rex Crowell, Chairperson
Committee on Transportation
House of Representatives
Third Floor, Statehouse

Dear Representative Crowell:

SUBJECT: Fiscal Note for House Bill No. 2822 by Committee on
Transportation

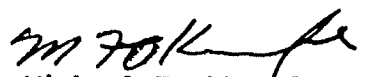
In accordance with K.S.A. 75-3715a, the following fiscal note concerning
House Bill No. 2822 is respectfully submitted to your committee.

House Bill No. 2822 amends K.S.A. 68-415 to provide the Secretary of
Transportation additional options in dealing with utility relocations
necessitated by highway construction projects. Relocation costs are paid by
the state if the utility is located on its own easement. If the utility is
located on public right-of-way, the utility generally must pay to relocate
its facilities.

The bill provides the Secretary with discretionary authority to advance
funds to utility companies for covering the company's relocation costs. The
sums advanced are to be repaid to the state with interest. This section is
designed to help small utility companies, such as rural water districts,
that do not have sufficient funds available to cover relocation costs.
Currently, the utility must first raise the money. This would allow the
Secretary to advance the money by entering into a contract for repayment
with interest to expedite the highway construction. The advances would
typically be in the \$10-\$50,000 range.

New subsection (c) of the bill empowers the Secretary to acquire
property interest for utility purposes and transfer that interest to the
utility companies whenever appropriate. Currently, when a highway project
necessitates the displacement of a utility located on its own easements, the
Department reimburses the utility for the relocation costs, which include
all costs associated with obtaining new utility easements located outside
the new right-of-way. This section would allow KDOT to acquire the property
interest needed by the utility simultaneously with acquiring right-of-way
needed for the project, thereby eliminating the duplication of acquisition
efforts by the Department and the utility.

It is possible that savings will result from both sections of the bill,
although they cannot be determined.


Michael F. O'Keefe
Director of the Budget

MFO:sr
cc: Horace Edwards, Secretary of Transportation

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Att. 2

Kansas Coalition for Drug-Free Driving

P.O. Box 58093

Topeka, KS 66658

913-286-0550

February 16, 1988

REP. Rex Crowell, Chairperson
Transportation Committee
Room 431N
State Capital
Topeka, KS, 66612

RE: House Bill #2716- Concerning child passenger safety.

In response to your request about statistics from different courts I monitor in Johnson County.

Out of the four courts I monitor most, from April 1987 until December 31, 1987 there have been 615 restraints violations. Out of that number 23 were convicted and the rest were dismissed because of the lesser charge of the violations cited. Some of the courts do not break down in age group but most were children that were not in any form of restraints.

This is only four courts in the state so how many are not being reported or convicted?

Sincerely, Ruth Meserve, Lobbyist for Kansas Coalition for Drug-Free Driving
8212 Briar, Prairie Village KS. 66208