

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./~~pm~~ on January 20, 1988 in room 254-E of the Capitol.

All members were present except:

Sen. Phil Martin.

Committee staff present:

Robin Hunn, Legislative Research Department  
Hank Avila, Legislative Research Department  
Ben Barrett, Legislative Research Department  
Bruce Kinzie, Revisor of Statutes  
Louise Cunningham, Committee Secretary

Conferees appearing before the committee:

The Interim Committee Reports on Transportation were the subject of this meeting. The proposals reviewed were Proposal No. 33, Highway Project Priorities; Proposal No. 31, Drivers' License Requirements - Interstate Carriers; and Proposal No. 32, Vehicle Identification Number (VIN) Program Issues and Odometer Rollbacks. A copy of this portion of the Report on Kansas Legislative Interim Studies to the 1988 Legislature is attached. (Attachment 1).

Robin Hunn explained Proposal No. 31. It was the conclusion of the interim study that no immediate change is needed in the priority formula for selecting highway improvement projects but that any reevaluation of the formula should give serious consideration to economic development. Also, special consideration should be given to the factor of shoulder safety and stabilization. It was recommended that no change be made to existing statutes which allow the Secretary of Transportation to remove miles from the state highway system. She said a 5-year shoulder enhancement program was under consideration with funding coming from the oil overcharge.

Hank Avila explained Proposal No. 31 which studied drivers' license requirements of interstate motor carriers and the conformity with changes in the federal Commercial Motor Vehicle Safety Act of 1986. State statutes may have to be changed in order to comply. The Department of Revenue, Motor Vehicle Division, is making a thorough review of the federal law and they are working with the Revisor's office in preparing legislation to bring before the Legislature.

Some concern was expressed by members of the severe penalties in the federal law. There was some concern about the moving violations provision. The Chairman said the regulations would be considered one by one by this Committee. Mr. Avila said when the regulations of the federal act in 1974 were adopted they were not looked at closely.

Ben Barrett explained Proposal No. 32 concerning VIN inspections and rollback of odometers. It was the conclusion of the VIN study that the current system of inspections is satisfactory and should be continued. Also, the fee distribution should not be changed.

Odometer fraud costs the consumer about \$2 billion yearly and the average cost of an altered odometer is estimated to be \$750 per car. Changes have been suggested and S.B. 462 is the result.

A motion was made by Sen. Hayden and was seconded by Sen. Norvell to introduce a bill requested by the RECs. Motion carried.

Meeting was adjourned at 10:00 a.m.

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 1-20-88 Place 254-E Time 9:00

GUEST LIST

NAME

ADDRESS

ORGANIZATION

Jerry Leonard

TOPEKA

KGIE

Lyndon Drew

Topeka

RDOA

Alfonzo A Maxwell

4th Flr Docking SOB

KCC

PAT BARNES

TOPEKA

Ks. Motor Car Dealers Assn.

**Report on Kansas  
Legislative Interim Studies**

to the

**1988 Legislature**

**SPECIAL COMMITTEES**

**Filed With the Legislative Coordinating Council**

**December, 1987**

entering into any agreement with an impaired provider committee of a state or county professional society or organization.

#### Healing Arts and Ancillary

The Committee considered the under which responsibility for providers now registered by the ancillary health care providers status in the future would be makes no recommendation for ie. A substantial minority of separate board composed of red ancillary providers and n the healing arts.

#### Health Care Providers (Proposal

tion in the attitudes of the toward the admission of nsas. The Committee also of the several agencies in approve foreign educational nal restrictions remaining in of foreign nationals. The of the state that foreign- ible for Kansas credential- sent no imminent danger to s. Further, the Committee e provider regulatory boards them in determining the s and that unconstitutional several licensing acts.

#### Assistance for Health-Related

Committee concluded that health care provider groups mandate the reporting of ent care, that private psy- lop risk management plans, edical care facilities should s such facilities, and that orts should be uniform. that health care provider ended by the Committee in

#### Epilepsy and Other Seizure-Related Disorders (Proposal No. 30).

The Committee recommends the creation of a task force to conduct a study of the needs of individuals suffering from epilepsy or other seizure-related disorders and the resources available to such persons. The Committee also recommends amendments to the Kansas Act Against Discrimination that expand the definition of "physical handicap" for the purposes of the act and extend the protection of the act to persons who have epilepsy or other seizure disorders.

#### Transportation

##### Drivers' License Requirements -- Interstate Carriers (Proposal No.

31). The Committee recommends that the Department of Revenue, in conjunction with the Revisor of Statutes' Office, prepare legislation for introduction early in the 1988 Session to commence implementation of the federal Commercial Motor Vehicle Safety Act of 1986. The Department of Revenue should prepare a summary description of each policy issue addressed in the bill.

##### Vehicle Identification Number (VIN) Program Issues; Odometer Rollbacks; and Certain Disclosures (Proposal No. 32).

The Committee supports the current system of VIN inspections wherein designees of the Superintendent of the Highway Patrol perform most of the inspections and the Patrol performs the rest. Current VIN inspection fees and the division and distribution thereof should not be changed.

With respect to the odometer rollback issue, the Committee recommends legislation patterned mainly on the Iowa adaptation of the federal odometer fraud statutes in order to: clarify the Kansas law, conform the Kansas law more nearly to the federal law, make the Kansas law more comprehensive, and facilitate better enforcement of such law.

With respect to certain required disclosures by vehicle dealers, the Committee endorses the concepts contained in 1987 H.B. 2203 and recommends that during the 1988 Session, the Senate Transportation and Utilities Committee give favorable consideration thereto.

Highway Project Priorities (Proposal No. 33). The Committee reviewed the recommendations of a similar 1986 study and concluded that the 1986 conclusions and recommendations still are appropriate, namely: no immediate change is needed in the Kansas Department of Transportation (KDOT) priority formula for selecting highway improvement projects; any KDOT reevaluation of the priority formula should include serious consideration of economic development and commercial traffic factors; and, while there are highway projects that might stimulate economic development, the existing resources of the State Highway Fund are not sufficient to address existing needs. The Committee also recommends that when KDOT reevaluates the priority formula, special consideration should be given to the factor of shoulder safety and stabilization; KDOT consideration of the economic development factor should include both the concepts of assisting underdeveloped areas and furthering development of growth areas; KDOT should update the 1988 Legislature on the status of its highway improvement priority formula reevaluation activities, and no change should be made with respect to existing statutes which allow the Secretary of Transportation to remove miles from the state highway system. The Committee believes the shortfall in highway funding must be addressed.

Transportation Services to Elderly and Handicapped Persons (Proposal No. 41). The Committee recommends that the Legislative Division of Post Audit be requested to conduct a study to determine the extent of overlapping services and inefficiency of agencies which provide transportation services to the elderly and handicapped and to identify and document underserved areas of the state. The study should include recommendations for addressing these matters in an efficient and effective manner. The results of this study should be reported to the House Transportation Committee and the Senate Transportation and Utilities Committee at the earliest possible time.

#### **Ways and Means**

Financing Regents' Equipment (Proposal No. 34). The Committee recommends that the Regents' institutions continue the current practices of setting priorities for equipment purchases. The Committee encourages the Board of Regents to allow fees to be put into place which will cover the costs associated with the purchase and maintenance of equipment with a short life expectancy such as lab equip-

for equipment purchases such measures.

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