

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 February 11, 1988 in room 254-E of the Capitol.

All members were present except:

Sen. Doyen was excused.

Committee staff present:

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

Conferees appearing before the committee:

Terry Dinker, Department of Commerce

Terry Dinker, Department of Commerce, appeared before the committee in response to a request for a report on the feasibility study that had been requested last year concerning Amtrak. Mr. Dinker said the responsibility for the study was shifted in the last minutes of last session from the Department of Transportation to the Department of Commerce. The money was to come from the economic development initiative but the gaming revenue had a triggering amount before it triggered automatic release of the money. It was his understanding that some money had been deposited the first of this week. In short, the study was delayed because the lottery money was not in yet.

A letter to Chairman Morris from Richard Dame, Chairman, Brotherhood of Locomotive Engineers, dated February 8, 1988 pertaining to S.B. 185 concerning the sanitation of drinking water and toilets on railroads was distributed to members of the committee. A copy is attached. (Attachment 1).

Action on S.B. 488 - Handicapped parking.

Bruce Kinzie had prepared balloon amendments to S.B. 488. Copies were distributed. (Attachment 2).

Sen. Frey made a conceptual motion to make sure that when there is a violation on private property it should be treated as a traffic violation and not as a complaint. Motion was seconded by Sen. Hoferer. Motion carried.

A motion was made by Sen. Hoferer and was seconded by Sen. Francisco to adopt the amendments to S.B. 488. Motion carried.

A motion was made by Sen. Hoferer to recommend S.B. 488, as amended, favorable for passage. Motion was seconded by Sen. Vidricksen. Motion carried.

S.B. 462 - Odometers

The committee discussed this bill and Sen. Frey made a motion that it should be illegal "to offer for sale or sell with intent to defraud" in the bill. Motion was seconded by Sen. Martin. Motion carried.

Meeting was adjourned at 10:00 a.m.

DATE: February 11, 1988

ROOM: 254-E

GUEST REGISTER
SENATE
TRANSPORTATION AND UTILITIES COMMITTEE

NAME	ORGANIZATION	ADDRESS
Terry Dunbar	KDOC	Topeka
D. WAYNE ZIMMERMAN	KDOC	TOPEKA
Roy Petty	Topeka Res. Ctr for the Handicapped	Topeka
Buck Dams	DLE	HOISINGTON
Mary Campbell	clatun	Manhattan
Tom Whitaker	KMCA	Topeka
Alfonso A. Mauer	KIC	Topeka

Brotherhood of Locomotive Engineers

Kansas State Legislative Board

RICHARD DAME
Chairman
466 W. 7th Street
Hoisington, Kansas 67544
(316) 653-7524



DONALD E. DETWILER
1st Vice Chairman
1001 E. 6th Street
Pratt, Kansas 67124
(316) 672-2551

LEO M. SRUBAS
Secretary-Treasurer
5005 Georgia
Kansas City, Kansas 66104
(913) 287-8280

February 8, 1988

File: 88-2-2-8

The Honorable Bill Morris
Room 143-N
State Capitol
Topeka, KS 66612

Dear Chairman Morris,

I would like to offer you and the members of the Senate Transportation Committee some information that might be useful in your deliberation of Senate Bill 185, concerning the sanitation of drinking water and toilets on railroads.

After the 1987 Legislative Session engine report forms, like the one stapled to the back of this statement, were sent out to every member in the Brotherhood of Locomotive Engineers [B.L.E.] that works in the state of Kansas. The amount of time used for these engine reports to be filled out ran from June to October of 1987. I will try to give you an efficient breakdown of those reports.

NUMBER OF ENGINE REPORTS RETURNED	222
NUMBER OF ENGINES REPORTED WITH UNCLEAN OR DIRTY TOILETS	48 or about 22%
NUMBER OF ENGINES REPORTED WITH AN OFFENSIVE ODOR TO TOILETS	21 or about 9%
NUMBER OF ENGINES REPORTED WITH BOTH DIRTY TOILETS AND OFFENSIVE ODOR	142 or about 64%
NUMBER OF ENGINES REPORTED WITH DIRTY OR UNCLEAN REFRIGERATORS	86 or about 39%

As you can see approximately 95% of all the engines reported on had something wrong with toilets.

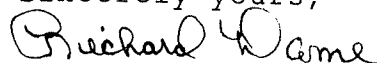
ATT. 1
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Honorable Bill Morris
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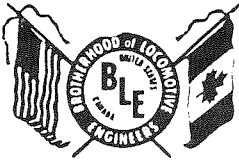
Although the number of engine reports returned does not give an accurate count of the total number of engines or trains in operation during this time lapse, I feel that the percentages in this breakdown would be simular to the percentages on the actual number of engines or trains.

In closing I would like to thank you for allowing me to present this information to you. I hope it will be beneficial in your considerations of Senate Bill 185. If you or any of the committee members have any further questions or problems with this bill I will be glad to try and answer them for you.

Sincerely yours,

A handwritten signature in cursive script that reads "Richard Dame".

Richard Dame
Kansas Legislative Chairman
Brotherhood of Locomotive Engr



SEND
TO:

Kansas Legislative Board
**Brotherhood of
Locomotive Engineers**
12601 W. 105th
Overland Park, KS 66215
(913) 492-4096

ENGINE REPORT

Date: _____ Engine Number: _____

Train Identification: _____ Railroad Co.: _____

Person Making Report: _____

- _____ Is the toilet clean?
- _____ Does the toilet produce an offensive smell?
- _____ Is the toilet a chemical fluid type?
- _____ Is the toilet overflowing?
- _____ Is the area around the toilet clean?
- _____ Is there any equipment stored in the toilet area?
- _____ Is it recorded on the engine the last time the toilet was serviced?
- _____ If so, what date does it show?
- _____ Is the engine control compartment clean and free of equipment & trash?
- _____ Does the engine control compartment have excessive noise levels?
- _____ Are you provided with clean drinking water?
- _____ Is the cooler or refrigerator clean?
- _____ Does the radio work properly?
- _____ Does the windshield wipers work properly?
- _____ Does the engine heaters work properly?
- _____ Is your engine equipped with an air conditioner?
- _____ If so, does it work properly?
- _____ Are all engine windows clean and free of grease?
- _____ To the best of your knowledge, does all safety appliances work properly?
- _____ Is there an engine report form or a way to report engine problems?
- _____ If so, did you report the problem?

Comments: _____

SENATE BILL No. 488

By Senator Parrish

1-14

0017 AN ACT relating to motor vehicles; concerning handicapped
0018 parking; amending K.S.A. 1987 Supp. 8-1,125 and 8-1,130 and
0019 repealing the existing sections.

8-1.124,

0020 *Be it enacted by the Legislature of the State of Kansas:*

0021 Section ~~37~~ K.S.A. 1987 Supp. 8-1,125 is hereby amended to
0022 read as follows: 8-1,125. (a) Any Kansas resident who submits
0023 satisfactory proof to the director of vehicles, on a form provided
0024 by the director, that such person is a handicapped person or is
0025 responsible for the transportation of a handicapped person shall
0026 be issued a special license plate ~~and~~ a permanent placard for

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0027 any motor vehicle owned by such person or shall be issued a
0028 temporary ~~or permanent~~ placard. Such placard shall be sus-
0029 pended immediately below the rear view mirror of any motor
0030 vehicle used for the transportation of a handicapped person so as
0031 to be maximally visible from outside the vehicle. In addition to
0032 the special license plate ~~or~~ and permanent placard, the director
0033 of vehicles shall issue to the handicapped person an individual
0034 identification card which must be carried by the handicapped
0035 person when the motor vehicle being operated by or used for the
0036 transportation of such handicapped person is parked in accord-
0037 ance with the provisions of K.S.A. ~~1986~~ 1987 Supp. 8-1,126, and
0038 amendments thereto. The special license plates and placards
0039 shall display the international symbol of access to the physically
0040 handicapped.

or

0041 (b) Special license plates issued pursuant to this section shall
0042 be issued for the same period of time as other license plates are
0043 issued or for the remainder of such period if an existing license
0044 plate is to be exchanged for the special license plate. There shall
0045 be no fee for such special license plates in addition to the regular

Section 1. K.S.A. 1987 Supp. 8-1,124 as used in this act: (a) "Handicapped person" means any individual with a severe visual or physical impairment or condition, which such impairment or condition limits such person's walking ability and results in an inability to travel, unassisted more than 200 feet, without the use of a wheelchair, crutch, walker, prosthetic, orthotic or other assistive device.

(b) "physician" means a person licensed to practice medicine and surgery in this state.

Attach 2

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A person submitting satisfactory proof that such person's disability, condition or impairment is permanent in nature, and upon such person's request and payment of the fees prescribed in subsections (b) and (c), such person shall be issued both a special license plate and a permanent placard and an individual identification card.

0046 registration fee. Special license plates may be personalized li-
 0047 cense plates subject to the provisions of K.S.A. 8-132, and
 0048 amendments thereto, including the payment of the additional
 0049 fee.

0050 (c) Except as otherwise provided in this section, placards and
 0051 individual identification cards issued pursuant to this section
 0052 shall be issued for such period of time as the person to whom
 0053 issued continues to be a handicapped person or a person re-
 0054 sponsible for the transportation of a handicapped person, except
 0055 that the secretary of revenue shall make a determination of
 0056 continued eligibility for a special license plate ~~or~~ and placard at
 0057 least every three years from the original date of issuance of such
 0058 license plate and placard. The secretary of revenue may adopt
 0059 rules and regulations prescribing a fee for placards and individ-
 0060 ual identification cards issued pursuant to this section, however,
 0061 such fee shall not exceed the actual cost of issuance thereof.

0062 (d) On and after July 1, 1989, and every three years thereaf-
 0063 ter, the secretary of revenue shall change the color of placards
 0064 and identification cards issued under this section. After the
 0065 effective date of this act, permanent placards and any individual
 0066 identification cards issued under this section shall be reissued
 0067 every three years from the original date of issuance of such
 0068 placards and individual identification cards.

0069 (e) ~~Beginning in the year in which new license plates are~~
 0070 ~~issued pursuant to subsection (b) of K.S.A. 8-132, and amend-~~
 0071 ~~ments thereto, [A person submitting satisfactory proof that the~~
 0072 ~~disability, condition or impairment referred to in K.S.A. 1986~~
 0073 ~~1987 Supp. 8-1,124, and amendments thereto, is permanent in~~
 0074 ~~nature, and upon such person's request and payment of the fees~~
 0075 ~~referred to in subsections (b) and (c), such person shall be issued~~
 0076 ~~a special license plate and individual identification card or, a~~
 0077 ~~permanent placard and an individual identification card.]~~

0078 (f) Permanent placards and individual identification cards
 0079 shall be returned to the department of revenue upon the death of
 0080 the handicapped person. Temporary placards shall be returned
 0081 to the department of revenue upon the expiration of the placard
 0082 or upon the death of the handicapped person. Special license

No person shall be issued more than one special license plate, except that agencies or businesses which provide transportation for handicapped persons as a service, may obtain additional special license plates for vehicles which are utilized in the provision of that service.

The secretary of revenue may adopt rules and regulations prescribing procedures for the reissuance, suspension and revocation of handicapped parking privileges including the issuance of orders to return handicapped parking devices, notification of law enforcement agencies and personnel with regard to the validity or invalidity of any handicapped parking device and revocation of handicapped parking devices subsequent to any conviction for fraudulent application for handicapped parking privileges or abuse of those privileges as prescribed in K.S.A. 1987 Supp. 8-1,130, and amendments thereto.

0083 plates shall be returned to the county treasurer to be exchanged
0084 for another license plate upon the death of the handicapped
0085 person.

3

0086 Sec. ~~2~~ K.S.A. 1987 Supp. 8-1,130 is hereby amended to read
0087 as follows: 8-1,130. (a) Any person who willfully and falsely
0088 represents that such person has the qualifications to obtain a
0089 special license plate ~~or~~, a permanent placard and an individual
0090 identification card or temporary placard pursuant to this act shall
0091 be guilty of a class C misdemeanor.

0092 (b) Any physician who willfully and falsely certifies that a
0093 person has the qualifications to obtain a special license plate ~~or~~,
0094 a permanent placard and an individual identification card or
0095 temporary placard pursuant to this act shall be guilty of a class C
0096 misdemeanor.

8-1,124,

0097 Sec. ~~2~~ K.S.A. 1987 Supp. 8-1,125 and 8-1,130 are hereby
0098 repealed.

5

0099 Sec. ~~4~~ This act shall take effect and be in force from and
0100 after its publication in the statute book.

6

Sec. 4(a). Any person who utilizes any handicapped parking device which has been revoked or suspended by the secretary of revenue pursuant to subsection (c) or (e) of K.S.A. 1987 Supp. 8-1,125, and amendments thereto, shall be guilty of unclassified misdemeanor punishable by a fine not to exceed \$50.

(b) Any person who utilizes any handicapped parking device issued to another person, an agency or a business, to park in any designated handicapped parking space, except when transporting or arriving to transport a handicapped person to whom or for whom the device was issued shall be guilty of an unclassified misdemeanor punishable by a fine not to exceed \$50.