

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./~~xxx~~ on February 25, 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:

Robert D. Elliott, Chief Engineer, Kansas Corporation Commission

Hearing on S.B. 645 - Relating to gas pipeline safety.

Robert D. Elliott, Chief Engineer, KCC, said this bill would broaden their authority in two areas: (1) allowing inspection of the safety of master metered gas facilities and (2) clarify onsite investigation responsibilities at suspected natural-gas caused accidents and fires. He said responsibility now lies at the federal level but there are only 5 federal inspectors assigned to cover a 10 state region and some work is not receiving adequate attention. A copy of his statement is attached. (Attachment 1).

The committee raised some question as to what this would do to insurance rates and if a certificate of compliance would be necessary.

Action on S. Sub. 2203 - Disclosure of leased or rented vehicles.

Sen. Bond said the sub-committee had some proposed amendments to S. Sub. for H.B. 2203 and submitted them to the committee. A copy is attached. (Attachment 2). Sen. Bond made a motion and it was seconded by Sen. Frey to adopt the proposed amendments. Motion carried.

Sen. Francisco thought the punishment, which is a \$2000 fine, is too severe because an individual might not have knowledge of the rollback. Sen. Francisco made a motion and it was seconded by Sen. Norvell to reduce the penalty to \$500 plus attorney fees. The motion failed.

A motion was made by Sen. Bond and was seconded by Sen. Frey to recommend S.Sub. for 2203, as amended, favorable for passage. Motion carried.

Discussion on S.B. 523 -Crash Parts

The committee thought this was a complex subject and should receive more study. A motion was made by Sen. Hayden and was seconded by Sen. Francisco to recommend this whole subject to the Coordinating Council for interim study. Motion carried. They also felt NCSL should be heard on the subject.

Discussion on Citizens utility ratepayers board.

Some members felt KCC would handle this situation with their appointed board and they should at least be given a chance to see if it would work. Other members thought some action should be taken to have the mechanism ready in case the KCC board was not satisfactory.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,
room 254-E, Statehouse, at 9:00 a.m./~~p.m.~~ on February 25, 1988

A motion was made by Sen. Frey and was seconded by Sen. Bond to recommend S.B. 556, S.B. 526 and S.B. 205 adversely.

A substitute motion was made by Sen. Francisco and was seconded by Sen. Norvell to table the bills. The motion did not carry.

The committee reverted to the original motion to recommend the bills adversely. The motion did not carry.

On a motion from Sen. Norvell and a second from Sen. Hayden the Minutes of February 24th were approved.

Meeting adjourned at 9:50 a.m.

DATE: Feb. 25

ROOM: 254-E

GUEST REGISTER
SENATE
TRANSPORTATION AND UTILITIES COMMITTEE

NAME	ORGANIZATION	ADDRESS
FRANK EATON	S.E. KS CITIES COALITION	MANHATTAN
Robert D. Elliott	KCC	Topeka
PAT BARNES	Ks. Motor Car Dealers Ass'n.	Topeka
Pat Wiechman	KADRA	Topeka
Michelle L. Hine	KADRA	Topeka
Jeanne Kutzky	AG	Topeka
Tom Taylor	KPH Gas Service	Topeka
Louie Stroup	KMU	McPherson
Marie F. Tinkler	Ks. Motor Carriers Ass'n.	Topeka
ALAN STEPHAN	Meloni & Associates	Topeka
Jon Bray	Life atilt Dent	Topeka

SENATE BILL NO. 645

By Committee on Transportation and Utilities

Presented by Robert D. Elliott

February 25, 1988

Mr. Chairman and members of the Committee, I am Robert D. Elliott, Chief Engineer for the Kansas Corporation Commission.

The Commission requested this proposed amendment to K.S.A. 66-1,150 because we see a need to broaden our authority in two areas: (1) allowing our inspection of the safety of master metered gas facilities and certain other facilities and (2) clarifying our onsite investigation responsibilities at suspected natural-gas caused accidents and fires.

We are seeking this authority over master metered and certain other facilities primarily because we believe this is currently an unfilled safety area which is not being adequately addressed at any level, federal or state. Responsibility for these inspections currently lies at the federal level. However, since there are only 5 federal inspectors assigned to cover all interstate pipelines and other jurisdictional responsibilities in our 10 state region, certain work is not receiving adequate attention.

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2/25/88

Many individuals are being affected by this lack of safety coverage. The purpose of this bill is to fill that safety void.

The second area which we believe needs attention is a clarification of KCC authority with respect to onsite investigations of the cause of suspected natural gas-caused accidents and fires. The Pipeline Safety regulations we are enforcing require that the utilities investigate accidents and failures. This legislation would clarify the Commission's responsibilities in that same area.

Thank you for the opportunity to make these comments.

PROPOSED SENATE SUBSTITUTE FOR H.B. NO. 2203

Section 1. (a) A vehicle dealer, as defined in K.S.A. 8-2401, and amendments thereto, shall not knowingly or intentionally fail to disclose in writing to the consumer of a motor vehicle the following:

(1) The fact that a motor vehicle was used as a driver training motor vehicle, as defined in K.S.A. 72-5015, and amendments thereto; or

(2) the fact that a motor vehicle was used as a leased or rented motor vehicle.

Failure of the vehicle dealer to disclose in writing the information in paragraphs (1) and (2) shall create a rebuttable presumption of intent not to disclose such information.

(b) For the purposes of this section:

(1) "Motor vehicle" means a motor vehicle which is registered for a gross weight of 12,000 pounds or less, or a farm truck registered for a gross weight of 16,000 pounds or less;

(2) "consumer" means the first individual to take title to a motor vehicle, for purposes other than resale, after such vehicle was used as a leased or rented motor vehicle or a driver training motor vehicle;

(3) "leased or rented motor vehicle" does not include a motor vehicle which is leased, loaned or rented by a vehicle dealer to a customer of such dealer while the customer's motor vehicle is being serviced or repaired by such dealer.

(c) This section shall be a part of and supplemental to the Kansas consumer protection act.

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