

Approved August 4, 1989
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 March 1, 1989 in room 519-S of the Capitol.

All members were present except:
Representative Gross

Committee staff present:

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

Conferees appearing before the committee:

Representative Bill Bryant
Mr. Pat Hubbell, Kansas Railroad Association
Mr. Richard Dame, Brotherhood of Locomotive Engineers
Mr. Donald Lindsey, Jr., UTU
Representative Dale Sprague
Mr. Jerry Will, Tampa, Kansas
Mrs. Mary Mille, Lincolnville, Kansas
Ms. Christine Combs, Lincolnville, Kansas
Ms. Ruth Meserve, Kansans for Highway Safety
Mr. Cliff Heckathorn, Kansas Head Injury Association
Representative Donna Whiteman
Mr. Norman Reynolds, Kansas Association of School Boards
Representative Anthony Hensley
Mr. Alonzo Harrison, HDB Construction, Inc.

The meeting was called to order by Chairman Crowell and the first order of business was a hearing on HB-2192 requiring installation of rumble strips at certain railroad grade crossings.

Representative William Bryant, co-sponsor of HB-2192, briefed the Committee on its contents. (See Attachment 1)

Mr. Pat Hubbell, Kansas Railroad Association, testified in support of HB-2192. (See Attachment 2)

Mr. Richard Dame, Brotherhood of Locomotive Engineers, testified in support of HB-2192. (See Attachment 3)

Mr. Donald F. Lindsey, Jr., United Transportation Union, testified in opposition to HB-2192. (See Attachment 4)

Committee discussion and questioning was held.

The hearing on HB-2192 was concluded.

The next order of business was a hearing on HB-2298 concerning age of applicants for drivers' licenses and instructional permits.

Representative Dale Sprague, sponsor of HB-2298, briefed the Committee on the contents of the bill. (See Attachment 5)

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:30 ~~am~~/p.m. on March 1, 1989

Mr. Jerry Will, Tampa, Kansas, testified in support of HB-2298.
(See Attachment 6)

Mrs. Mary Mille, Lincolnville, Kansas, testified in support of HB-2298. She said her son was killed in an automobile accident while a passenger in a vehicle driven by a 14 year old girl.

Ms. Christine Combs, Lincolnville, Kansas, testified in favor of HB-2298.

Ms. Ruth Meserve, Kansans for Highway Safety, testified in support of HB-2298. (See Attachment 7)

Mr. Cliff Heckathorn, Kansas Head Injury Association, testified in support of HB-2298.

The hearing on HB-2298 ended.

The next order of business was a hearing on HB-2343 concerning school attendance as a condition of licensing for the privilege of operating a motor vehicle.

Representative Donna Whiteman, sponsor of HB-2343, briefed the Committee on the contents of the bill. (See Attachment 8)

Mr. Norman Reynolds, Kansas Association of School Boards, testified in opposition to HB-2343. (See Attachment 9)


The hearing on HB-2343 was concluded.

The next order of business was a hearing on HB-2320 concerning the Kansas Contractor Development Act.

Representative Anthony Hensley, sponsor of HB-2320, briefed the Committee on contents of the bill.

Mr. Alonzo Harrison, HDB Construction, Inc., testified in support of HB-2320.

The meeting was adjourned at 3:25 p.m.


Rex Crowell, Chairman

PLEASE PRINT

NAME	ADDRESS	COMPANY/ORGANIZATION
Jenette Harglish	Topeka	Kansas Public Transit Assn
Mark Intermill	Topeka	Kansas Coalition on Aging
Jamere Jones	Topeka	student
Jeff Mayberry	Hiowa, Ks	student
Rich Davis	Hoisington	B.L.E.
Roger W. BARR	TOPEKA	T.C.U.
Tom Whitaker	Topeka	Ks Motor Carriers Assn
Ed DeSorme	TOPEKA	Ks. CONTRACTORS ASSOC
GARY Ribbirs	Topeka	Ks Opt Assn
Blaine Cleveland	Salina	UTU
Don Lindsey	OSAWATOMIE	UTU
NORMAN REYNOLDS	TOPEKA	KASB
Ruth Meserve	Prairie Village Ks	Kansas for Hwy Safety
Don Meserve	" " "	Avest
CAROL NEWMAN	FT. RILEY, KS.	PARENT
Christine Combs	Lincolnville, Ks. 66858	Registered Nurse
Jerry D. Will	Tampa, KS	Centre Supt. #394 USD
Mary A. Miller	Lincolnville, KS 66858	Parent
Rep Dale Srague		

STATE OF KANSAS

WILLIAM M. BRYANT, D.V.M.
REPRESENTATIVE, SIXTY-THIRD DISTRICT
WASHINGTON, REPUBLIC AND
NORTHERN RILEY COUNTIES
RURAL ROUTE 2
WASHINGTON, KANSAS 66968

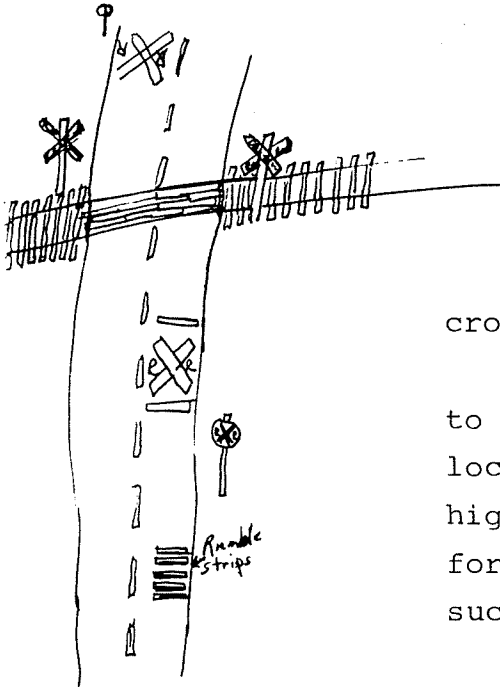


TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
VICE-CHAIRMAN: AGRICULTURE AND SMALL
BUSINESS
MEMBER: FEDERAL AND STATE AFFAIRS
INSURANCE

Testimony on HB2192
House Transportation Committ
March 1, 1989



The issue is safety and the subject is railroad crossings.

HB2192 would require the Department of Transportation to install rumble strips at all railroad grade crossings located on highways which are a part of the state highway system and are protected only by signs in the form of crossbucks. At the present time there are 177 such crossings in the state.

Figures from the KDOT indicate that there were 27 accidents in Kansas at such crossings during the period from 1983 to 1987. About one-half of these accidents occurred during daylight hours and the other half at night.

Figures compiled by the Kansas Corporation Commission indicate that there were 125 rail crossing accidents in 1987 alone in our state with 38 of these occurring at protected crossings and 87 occurring at unprotected crossings. An alarming fact that I found in looking at their figures was that out of the 38 at protected crossings there were 4 fatalities, or 10½%, and at unprotected crossings there were 22 fatalities out of 87, or 25%. Of course, these figures are for crossings on all roads in the state and not just those on the highway system.

The fact that 2½ times as many of the accidents that occurred lead to fatalities at unmarked crossings compared to protected crossings is cause for concern. It points to a lack of awareness on the driver's part to me.

The placement of rumble strips at unprotected rail crossings would address the awareness problem. If a driver was daydreaming or dozing at night, going over a set of strips would certainly get his attention and alert him to the fact that a rail crossing was coming up.

While we have few documented studies to refer to using rumble strips at rail crossings, several have been made on the use of rumble strips at stop signs. One such study indicated that the average speed at stop signs was lowered by 40% and that the accident rate went from 7 accidents in 3 years at one intersection to 4 accidents in 4 years with a remarkable difference in the number of injuries and fatalities.

Another study showed a 50% decrease in the number of people running a stop sign where there were rumble strips and a 50% decrease in the number of injuries and no fatalities reported within a two-year period.

If there are opponents to this bill, I would assume that they would oppose it from at least three angles. These would be familiarity, increased accidents due to strips, and/or cost.

To refute these objections, I would use information derived from studying three different research papers and a little common sense. All three studies hinted that these devices should not be used indiscriminately because familiarity might lead to drivers ignoring them but gave no concrete figures; in fact, one study did follow it out and concluded that: "The effects on driver's behavior did not diminish after a period of one year." All studies reported that even if the strips did lose their effect on local drivers that they did not lose their impact on unfamiliar drivers. This is a major concern and involves a large number of drivers on our state highway system.

To address the objection of drivers going around the rumble strips and causing accidents, I would suggest that, if this does happen (and I found no factual evidence on it) it would happen where a series of strips were involved and the driver pulls over to avoid the second or third set of strips. I would hope that only one set of strips would be used on each side of a crossing just prior to the orange railroad crossing sign at the roadside. This would eliminate a driver pulling over into the passing lane to avoid other strips.

I do not have a cost estimate on the strips, but I do have "food for thought". Most estimates if available would be for a series of three sets of rumble strips on each side of a crossing. I would suggest only one strip on each side of a crossing which would cut estimates by one-third. I would also submit that the rumble strips would probably not cost any more than the painted signs on the highways and could probably be used in place of them. This would produce no fiscal note. In case they did cost \$100 a piece to install, that would only amount to \$200 per crossing or \$35,400, a small price to pay for safety as opposed to waiting for cost-sharing for a \$100,000 signalized crossing.

I applaud the interim committee for recommending matching funds for local units of government to use in matching Federal Funds to eliminate hazards of railway-highway crossings, but that still leaves a large number of crossings unprotected; and I feel that the rumble strips would certainly add to the safety of these crossings in the meantime.

I urge your favorable support of this measure and the passage of HB2192 for the safety of our Kansas highways and railroads. Thank you.

KANSAS RAILROAD ASSOCIATION

PATRICK R. HUBBELL
DIRECTOR-PUBLIC AFFAIRS

920 S.E. QUINCY
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TOPEKA, KANSAS 66628

913-357-3392

Statement of the Kansas Railroad Association

Presented to the House Transportation Committee
The Honorable Rex Crowell, Chairman

Statehouse
Topeka, Kansas
March 1, 1989

* * * * *

Mr. Chairman and Members of the Committee:

The Kansas Railroad Association supports House Bill 2192 and encourages the Department of Transportation to install rumble strips as provided in House Bill 2192.

Passive traffic control systems consisting of advance signs, pavement markings and crossbuck signs identify the location of grade crossings to warn vehicle operators of a railroad grade crossing.

In Kansas pavement markings in advance of grade crossings consist of an X, the letters RR, and no passing markings (two lane roads). Identical markings are placed in each approach lane on all paved approaches to grade crossing where grade crossing signals or automatic gates are located and at all other grade crossings where the prevailing speed of highway traffic is 40 miles per hour or greater. These markings are also placed at crossings where engineering studies indicate there is potential for traffic accidents.

Att. 2

Along with the markings on the highway, advance warning signs are used at most grade crossings, except on low speed highways crossing minor spurs, tracks which are infrequently used or which are flagged by train crews, business districts of cities where active grade crossing traffic control devices are in use or where physical conditions do not permit the effective display of an advance sign. These warning signs are normally 750 feet or more in advance of a crossing in rural areas and 250 feet in advance of crossings in urban areas. In those areas with low vehicular speed the advance sign may be placed a minimum distance of 100 feet from the crossing.

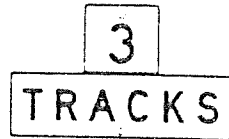
A minimum of one crossbuck sign is used on each highway approach to every highway grade crossing. The crossbucks can be used alone or in combination with other control devices. Where physically feasible and visible to approaching traffic the crossbuck signs are installed on the right hand side of the highway on each approach to the crossing.

In a study completed by Texas A & M University recording data of 18,500 vehicles at grade crossings and interviews with 1,300 drivers concluded that 79% of drivers approaching grade crossings remembered the crossing location because they were familiar with that particular roadway; only 7.5% saw the advance warning sign; 7.2% remember seeing the crossbucks; 2.8% saw only the railroad tracks; 1.9% saw the railroad pavement markings.

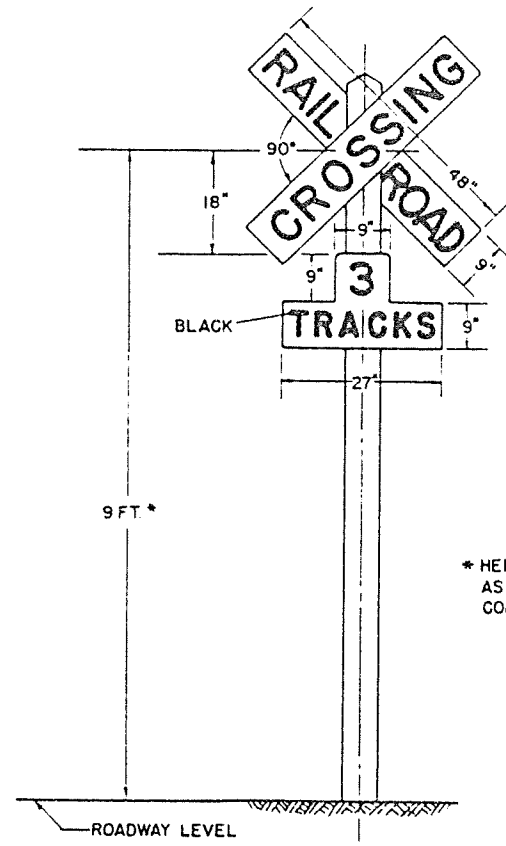
I believe the presence of rumble strips would give drivers the ability to make correct decisions sooner when approaching a railroad grade crossing. I hope the Committee will report House Bill 2192 favorably for passage. Thank you for the opportunity to appear today.



R15-1
48" x 9"
(drilled for 90-degree mounting)



R15-2
9" x 9"
27" x 9"



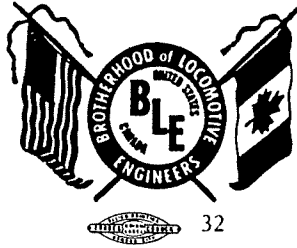
* HEIGHT MAY BE VARIED
AS REQUIRED BY LOCAL
CONDITIONS.

Figure 8-1. Railroad-highway crossing (crossbuck) sign.

2-4

Brotherhood of Locomotive Engineers

Kansas State Legislative Board



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Statement of the Brotherhood of Locomotive Engineers

Presented to the House
Transportation Committee

The Honorable Rex Crowell

Statehouse
Topeka, Kansas
March 1, 1989

Mr. Chairman and Members of the Committee my name is Richard Dame. I am chairman of the Kansas Legislative Board for the Brotherhood of Locomotive Engineers. I would like to thank you for giving me the opportunity to testify in favor of House Bill 2192.

Since 1974, when I was promoted to engineer, I have had 7 accidents and many close calls at railroad grade crossings. In almost every case the cause of the accident or close call was due to lack of awareness on the part of the motor vehicle driver. Either they were not aware of the crossing, or they were not aware a train might be approaching the crossing at the same time they were.

I would like the committee members to think back in their driving career and remember if they had ever got by a stop sign or stop light before they realized what they had done. Sometimes motorists approach railroad grade crossings in the same manner. Not aware of where they are until they are already on the tracks. That is why I feel that the use of rumble strips to help alert a motorist to the fact that he or she is approaching a railroad-highway grade crossing, that is just protected by crossarms, is a step forward in grade crossing safety.

united transportation union

DONALD F. LINDSEY, JR.
DIRECTOR/CHAIRMAN

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March 1, 1989

STATEMENT OF DONALD F. LINDSEY, JR., DIRECTOR
KANSAS STATE LEGISLATIVE BOARD
UNITED TRANSPORTATION UNION
IN OPPOSITION OF H.B. 2192

PRESENTED TO
HOUSE TRANSPORTATION COMMITTEE
HONORABLE REX CROWELL, CHAIRMAN

Mr. Chairman and Members of the Committee, I am Don Lindsey, Director of the **Kansas State Legislative Board, United Transportation Union**. I am a duly elected officer, authorized to speak for our some 6,000 active and retired members and their families who reside in the State of Kansas. I appear in opposition of H.B. 2192.

The UTU finds it very difficult to be in the position of opposing any piece of legislation which attempts to improve safety and public awareness at railroad grade crossings. However, after talking with the Kansas Highway Department, I discovered that the term "rumble strip" applies to both raised portions of asphalt and recessed grooves.

On all new construction, recessed grooves are cut into the pavement to alert drivers of a speed restriction or possible hazard. On all existing roads, raised strips of asphalt are used to alert drivers when rumble strips are required. These strips when added to existing roadway, lack conformity and often are raised to an excessive level becoming more of a speed bump than a warning.

The best example I can give is in my own community of Osawatomie. Rumble strips were added at the west entrance of town to alert drivers of the 30 m.p.h. speed limit. The first and only time I hit the rumble strips I thought the front end of my car had fallen off. Since that time, when entering town from the west, I avoid these strips by driving left of center.

This is the fear that the UTU has regarding raised strips at the approach to a railroad grade crossing. We fear that people who use this crossing on a regular basis will become so preoccupied with avoiding the strips and oncoming traffic that they will fail to see an approaching train at the grade crossing.

Driving becomes a habit especially when one is driving in familiar surroundings. The UTU fears that raised rumble strips will encourage bad driving and could lead to an increase rather than a decrease in grade crossing accidents. I assure this committee, the UTU supports the concept of alerting drivers on their approach to a railroad grade crossing. The worst fear an engineer, conductor or brakeman has when he starts his trip is the possibility of a grade crossing accident. If recessed grooves could be applied rather than raised strips, H.B. 2192 would have the full support of my organization.

STATE OF KANSAS

Sprague, P. 5

DALE M. SPRAGUE
 REPRESENTATIVE, SEVENTY-THIRD DISTRICT
 MCPHERSON COUNTY
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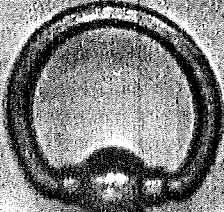
SPEAKER PRO TEM

STATE CAPITOL
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 TOPEKA, KANSAS 66612
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The following is a breakdown of 14-18 year olds with driver license's, male & female. Class C, CD, and Suspended.

Age	C		CD		Suspended		Total	% of pop.
	M	F	M	F	M	F		
14	3085	2437	8	1	0	0	5522	22%
15	8275	7509	49	7	0	0	15784	64%
16	12527	12196	156	10	1	0	24723	100%
17	15154	14489	338	19	17	8	29643	120%
18	16289	16284	510	21	92	29	32573	132%

These figures were provided by the Dept. of Revenue.



*Any enterprise
is built by
wise planning,
becomes strong
through
common sense,
and profits
wonderfully by
keeping abreast
of the facts.*

PROVERBS 24: 3-4 THE LIVING BIBLE

Accident kills two

Two funeral services were conducted earlier this week for 14-year-old victims of a one-car accident at 8:24 p.m. Friday. The accident was investigated by Gary Warner of the Kansas Highway Patrol and four members of the Marion County sheriff's office.

Though no one witnessed the one-car crash that killed Charissa Haudyshell and Ronald Mille Jr., Undersheriff Dan Kinning said tracks indicated that a car carrying them and 13-year-old LaVerne Stika was apparently westbound 1½ north and 2½ west of Lincolnville. It was

^{Marion 9/7/88}
impossible to determine who the driver was, Kinning said.

Haudyshell of rural Tampa, Mille of rural Lincolnville and Stika of Pilsen were all thrown out of the car on impact after the driver lost control. The car rolled over 3½ times before the gas tank exploded, burning the car.

Marion's ambulance service responded to the call from an unidentified person who heard the explosion. Stika was taken to St. Luke Hospital in Marion, then flown by Lifewatch Helicopter to Wesley Medical Center in Wichita. He was listed in stable condition over the weekend, Kinning said.

Haudyshell was a daughter of Roy and Judy Haudyshell and Mille was a son of Mr. and Mrs. Ronald Mille. Stika's parents are LaVerne and Ella Mae Stika.

Two teenagers killed in fiery car wreck

Centre schools remained closed Tuesday in mourning for two students who were killed in a car accident Friday. A third remains in serious condition at a Wichita hospital.

Charissa L. Houdyshell, 14, of Tampa, and Ronald Mille Jr., also 14, of Lincolnville, died when Houdyshell lost control of the car on county road 504, two miles northwest of Lincolnville, at about 7:50 p.m. They were headed west when the 1974 Oldsmobile crossed the center line, heading toward

^{Marion 9/7/88}
the north ditch. The car veered back to the south ditch, rolled three times, and ended up on its top in a field, where it burst into flames, said Kansas Highway Patrol reports.

Lavern Stika Jr., 13, of Pilsen, was taken to HCA Wesley Medical Center where he is now listed in serious condition. All three teenagers were thrown from the car during the accident, the patrol said. Marion County Sheriff's officers also worked the wreck.

Serving The Tri-County Area Since 1889



FATALITY ACCIDENT SCENE — Willie Hellman of Hillsboro, a wrecker operator, inspects the burned wreckage of an auto at the location of a double fatality accident, 4.2 miles northwest of Lincolnville, last Friday evening. Marion County Undersheriff Daniel Kinning, far left, Deputy Robert Bartlett and Kansas Highway Patrol Trooper Gary Warner also are pictured. Killed in the accident were

Carissa L. Houdyshell, 14, Route 1, Tampa, and Ronald J. Mille Jr., 14, Route 1, Lincolnville. A third youth, Laverne Stika Jr., 13, Pilsen, was seriously injured. All three young people were ejected from the auto as it rolled 3-1/2 times. None of the victims was burned in the ensuing fire that consumed the auto, which was registered to Miss Houdyshell's parents. (Times Photo)

Third youth seriously hurt—

Two 14-year-olds killed in area crash

LINCOLNVILLE — A one-vehicle accident shortly before 8 p.m. last Friday on a northern Marion County road claimed the lives of two area teenagers. A third youth was seriously injured.

Dead are Carissa L. Houdyshell, 14, of Route 1, Tampa, and Ronald J. Mille Jr., 14, of Route 1, Lincolnville. Both were freshmen at Centre High.

Laverne Stika Jr., 13, Pilsen, was listed in serious condition Wednesday morning in an intensive care unit of the HCA Wesley Medical Center in Wichita. He is an eighth grader at Centre Junior High.

Stika had not regained consciousness, but was showing signs of responding to his surroundings, a family member said. Stika suffered a collapsed lung and a fractured wrist. He apparently did not suffer any serious internal injuries.

The three youths were occupants in a 1974 Oldsmobile, registered to the Houdyshell girl's parents, which skidded out of control on gravel road, 2 miles north and 2.2 miles west of Lincolnville, Kansas Highway Patrol Trooper Gary Warner said. He investigated.

The young people were thrown from the vehicle as it rolled 3-1/2 times, coming to rest on its top. The car then burst into flames, but none of the victims was burned, Warner said.

Warner said he had not been able to determine which youth was driving the auto when the accident occurred.

The car landed in a grassy field along the south side of the Lost Springs-Clear Creek Township Road, about 3 miles west of Centre High.

Warner said he had ordered blood alcohol tests be taken on the accident victims. He said evidence at the mishap scene was sufficient enough in his opinion to request the tests. He declined to elaborate. Blood samples have been sent to the Kansas Bureau of Investigation laboratory for analysis. It is not known when the test results will be available.

Warner said he was not able to determine if speed was a factor in the mishap.

Miss Houdyshell, Mille and Stika were seen at the start of a Centre High football soap scrimmage, which began at 7:30 p.m., Warner said. It is not known when the youths left the event.

Authorities believe the fatality accident may have occurred shortly before 8 p.m., but was not discovered for about 15 to 20 minutes when the Lincolnville and Tampa Volunteer Fire Departments received calls at almost the same time concerning a grass fire, northwest of Lincolnville.

Lester Kaiser, Lincolnville fire chief, said his department responded to the scene with six men and a pumper truck. They brought the vehicle and small grass fires under control before three members of the Tampa Volunteer Fire Department arrived at the scene with another pumper truck.

Ambulances from Marion and Tampa also responded to the scene. Stika was transported to St. Luke Hospital in Marion for emergency treatment. His condition was stabilized and he was flown by LifeWatch helicopter to the HCA Wesley Medical Center in Wichita at about 10:17 p.m.

Miss Houdyshell and Mille were pronounced dead at the scene by Dr.

Khánh Vu of Marion, a deputy district coroner, Marion County Undersheriff Daniel Kinning said. The bodies were removed from the scene by attendants from a Marion funeral home.

Also at the scene were Sheriff Ed-

ward Davies and Deputies James Albrecht and Robert Bartlett.

The investigation at the accident scene lasted more than three hours.

The youths' deaths were the fifth and sixth traffic fatalities to occur in Marion County during 1988.

Professionals helping students cope with loss

LOST SPRINGS — Classes were cancelled Tuesday in the Centre Unified School District in response to the deaths of Centre High students Carrisa L. Houdyshell, 14, and Ronald J. Mille Jr., 14, in a traffic accident last Friday evening.

When classes resumed at regular times Wednesday, an all-school assembly was held in the high school gymnasium.

Superintendent of Schools Jerry D. Will spoke to students and teachers briefly before introducing two staff members from the Prairie View Mental Health Center in Newton.

The Prairie View staff members stayed at the high school for group and individual counseling sessions. A third mental health center staff person was at the Centre Elementary School.

Classroom teachers at both schools had met with the mental health center staff members for suggestions before the start of Wednesday classes, Supt. Will said.

The superintendent estimated that between 70 and 80 students and teachers stayed in the high school gym following the assembly.

Thursday, September 8, 1988

Herington, Kansas 67449

50 cents

99th Year—No. 7

Centre parents seek school help at enforcement of driving regulations

By MATT NEWHOUSE

Staff Writer

About 10 people representing what they said was a far larger group of concerned parents, met with the Centre school district Board of Education Monday night asking for action in preventing young teenagers from driving illegally.

On Sept. 2, Centre students Carissa Houdyshell and Ronald Mille Jr. were killed in a car accident near Lincolnville. A third teenager, Lavern Stika Jr., remains in fair condition at HCA Wesley Medical Center, Wichita. None of the students were older than 14.

Kansas law states that students 14 and 15 years old may have a restricted license and drive to and from school by the most direct and accessible route. In rural communities, however, students are often allowed to drive themselves to after-school activities or to run errands for parents. Many also drive farm trucks or farm equipment.

The Centre board provides activity buses that will pick up students and take them home for after-school activities, such as sports practices or club meetings. Peer pressure is against riding the buses and more toward driving their own cars, parents said, and the bus service is rejected by most students.

Jerry Will, Centre USD superintendent, said no more than 12 have used the activities buses since the school year began. He did say that more students ride the buses now than did when they were started last year. Some of the parents felt there should be buses for every activity for students to use.

"We're tired of mangled 14- and 15-year-olds coming in for driving illegal," said Chris Combs, Lincolnville, a nurse at St. Luke Hospital. She was on duty Sept. 2 when the teenagers were brought in.

Will responded that more activity buses would probably not solve the problem since the pressure to drive would still be there. He said he has received calls from

parents saying they won't take the car keys away from their children because of the "war" that would ensue.

"Parents have to be parents within the home," he said. He suggested parents support each other in getting their children on the buses so the cry of "Everybody else gets to drive!" would be defeated. He also asked parents to consider if there were enough activities for children in Marion County and if they were truly the parents' first priority.

Bud Peterson, head football coach and driver's education instructor, said parents need to be educated.

"If I ever teach driver's ed again, my first response will be to educate the parents," Peterson said. Courses in driving do not make a student skilled enough to drive totally on his or her own, he stressed.

"It's only a beginning. It's the experience they need after driver's ed that is important," he said. Summer courses in driving are better than during the school term because he can get students to all sorts of roads and highways, instead of the short length they can go in one school period, he said.

Combs and another nurse, Jan Moffitt of Tampa, asked if students could be required to travel

in car pools with a parent driving. Will said it was a good idea and the school could support it, but it would probably not become a school rule. Parents could work together and organize carpools on their own, he said.

Will also agreed to inform parents through the October newsletter and advertising in the *Herington Times* and the *Marion County Record*, official newspapers for the district, on state and school policies regarding student driving and activity bus schedules.

Marion County Sheriff Ed Davies and board attorney David Shriver presented a recent attorney general's opinion on restricted drivers as well.



Kansas driving law explained

Kansas law on restricted licenses appears to be headed toward stricter legal interpretation, said Marion County Sheriff Ed Davies and Centre Unified School District attorney David Shriver at a board meeting Monday night at Lost Springs.

"In order to avoid sanctions pursuant to the law, a restricted licensee should be advised to err on the side of caution," Kansas Attorney General Robert Stephan said in an Aug. 10 opinion.

Davies added that his office will stop and ticket a restricted licensee and, if he or she is far from home, will probably take the child into custody and tow their vehicle away. The parents or guardians would then be called to pick up the child.

According to Stephan's opinion, the law states that a teenager 14 or 15 years old may drive if they have a restricted license and are:

1. going to or from any job, or while performing job duties;
2. when going to or from school on school days for the purpose of school attendance;
3. when driving with an adult licensee in the passenger seat;

4. when operating a motorcycle with an adult also operating a motorcycle in the vicinity.

"Adult" means a driver at least 18 years old, not a licensed 16-year-old.

Extracurricular activities, such as band, sports games or practices, or any other school-related activities are not usually considered adequate to meet the "school attendance" statement because most of them are not necessarily core curriculum classes. While a football player must attend practice to stay on the team, he does not have to make the team to graduate from high school.

If a student does not leave school grounds immediately after school but stays for a school-related activity, he or she may drive home. The student must drive directly home by the most direct route. A student who was to participate in an activity may drive home even late at night as long as he or she has not gone home or elsewhere immediately after school.

Like any law, there can be various interpretations of the restricted license law, Shriver said. Summer school would probably

be interpreted as driving while school is in session, he said.

Work is more difficult to interpret. Most 14-year-olds do not sign contracts for the sorts of jobs they usually hold, such as baby-sitting. Running errands for a family member would probably not be permissible. Nor would volunteer work, such as helping a student club run a booth at a game or fair because students usually do not get compensation for club duties.

"That may be stretching it a bit too far," Davies said. Parents who knowingly let a child drive to a non-work or extracurricular event without adult supervision could be ticketed as well, he added, but he stressed that each case would depend on circumstances.

Superintendent Jerry Will said a Kansas Highway Patrol trooper told him a restricted driver could be ticketed if he left school grounds by any mode of transportation for any reason other than to go home.

The end result is that parents and students should be deliberate in choosing when to let a restricted driver on the road alone.

•Continued, Page 5

Driving law

•Continued from Page 1

Parents who allow their children to drive illegally are encouraging them to break the law, Davies said.

"What we're seeing is disregard for the statute and how it reads," he said.

Will told the audience that the Kansas Highway Patrol will present a program on safe driving and the law probably in late September. One of the troopers who worked the Sept. 2 fatal accident is scheduled to be there to describe what may have happened, he added. Parents are invited and encouraged to attend when a final date has been set but Will suspects those who need the information won't attend.

"Generally, the ones you want won't show up," he said.

Thursday, September 15, 1988

Herington, Kansas 67449

50 cents

99th Year—No. 8

PAGES
SUPPLEMENTS

The Tri-County Area Since 1889

USD 397 patrons ask for help in curtailing abuse of driving privileges

LOST SPRINGS — A plea to help keep youth holding restricted driver's licenses off the road as much as possible and to educate their parents about the restrictions listed on the licenses was made by a group of Centre Unified School District patrons Monday evening during a regular monthly Board of Education meeting.

The concern was prompted by the deaths of Centre High freshmen Carlissa Houdyshell and Ronald Miller Jr., both 14, in a Sept. 9 traffic accident, near Centre High. Centre Junior High student LaVerne Suka Jr., 13, was seriously injured.

Jan Moffitt of Tampa, a nurse who was on duty at St. Luke's in Marion during the evening the accident occurred, said her primary

concern was that district officials encouraged young drivers to be out on the road by scheduling many activities.

She also noted the district should encourage use of activity buses which transport students home following after-school athletic and other extra-curricular practices.

Superintendent of Schools Jerry D. Will noted that ridership on activity buses had showed an increase during the past year, but remained marginally acceptable.

Mary Jirak of Tampa encouraged the board not to scrap the program after only two years. "That's not enough time to allow it to prove itself," she said. "We'll have to grow into it."

(Continued to Page 9A)

Thursday, September 15, 1988-THE HERINGTON TIMES-9A

Driving privileges

(Continued from Page 1A)

Supt. Will noted that many suggestions had been made to him by patrons as solutions for keeping young drivers from violating the restrictions of their driver's licenses.

However, he added, "It's not our job to give parents an excuse to pull the (car) key (on their children)."

Burdette "Bud" Peterson, district driver's education instructor, told the group if he taught the course again, he would request students' parents to attend an educational meeting first. "I want to educate them (the parents)," he said.

Peterson also spoke in favor of continuing a summer driver's education program, which some patrons had spoken out against.

"I'd never go back to a driver's ed program during the school year," Peterson said. He noted that an hour for class only allows students limited driving time. A summer course lets them drive in larger cities and on the Interstate, he added.

Chris Combs of Lincolnville, who had asked the board at times

during the meeting to consider forming a committee to study the problem and to provide alternate activities to keep youth off the road, finally noted that it was the parents' responsibility to work on the problem. "Parents have to work together," she said.

Supt. Will said the Centre Booster Club might be one place to start on a cooperative effort. He also noted an organizational meeting for a Parent-Teacher Organization was scheduled at 7:30 p.m. Monday at the Centre Elementary School in Lost Springs.

The superintendent also noted he would work with high school principal Robert Stillwell on scheduling athletic practices and other after-school activities in sequential order to allow students to remain at school.

Supt. Will mentioned that Trooper Gary Warner of the Kansas Highway Patrol, who investigated the accident which claimed the lives of Miss Houdyshell and Mille, was scheduled to present a special program later this month at Centre Junior-Senior

High. A specific date had not been set as of Monday evening, however.

USD 397 attorney David Schriver of McPherson and Marion County Sheriff Edward Davies also were at the board meeting.

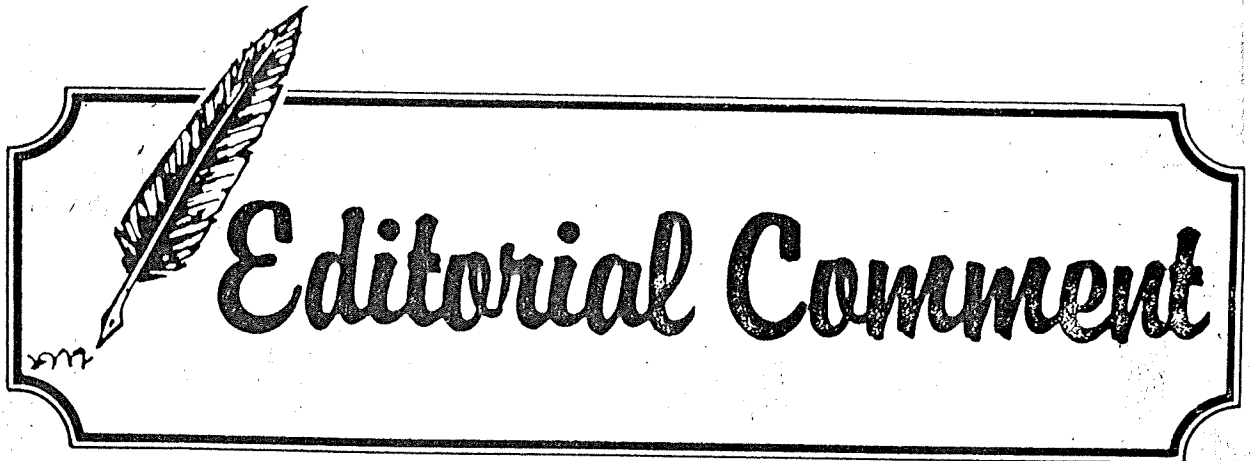
Schriver reviewed a recent opinion offered by Kansas Attorney General Robert Stephan concerning restricted driver's licenses.

He noted that youths possessing restricted driver's licenses are allowed to drive to and from school by the most direct routes. Travel to activities is not permitted by law, he said.

Davies said it was his opinion there had been a total disregard for state law in the county when it came to restricted driver's licenses. He said his department would continue enforcing the law in an attempt to reduce accidents involving the holders of restricted driver's licenses.

Davies also mentioned that he and County Attorney Edwin Wheeler had conferred on the matter. Wheeler, he said, had written a letter to area legislators asking them to review current law on restricted driver's licenses.

6-6



Editorial Comment

Our Most Precious Product

By BILL MEYER

No words are adequate to describe deep feelings which result from tragedies that snuff out lives during the flower of their youth. It has happened too frequently in Marion County this summer, near Burns and near Lincolnville.

What can be said that hasn't crossed the minds of thousands of people? Certainly there should be no effort to establish blame. Accidents happen. Looking for liability can't restore life. It only causes deeper hurt among those who already have been hurt most.

But there must be an effort to attempt to prevent similar accidents in the future. Laws are specific. Children under 16 should not be allowed unlimited driving privileges. Their "restricted" licenses only provide for going to and from school (classes, not activities) by the most direct route.

Stating that fact, no matter how many times, will not bring them back. And it won't console their relatives. In fact, it only increases the cruelty of the blow for they continue to blame themselves over and over.

Anyone who has experienced teenage years realizes that peer pressure is enormous. Driving a car is virtually "everything" to a teenager. Parents are under constant demand to relax the rules and even to disobey the specific laws. They often cave in, usually because some other parent has done so too.

The three lives lost this summer can't be restored, nor can the countless ones lost on our roads before. But the recent loss could provide a means by which other lives may be saved in the future. These tragic examples could be the catalyst that will prevent horrible accidents in the future.

Parents must be adamant. They can't expect schools and law enforcement agencies to do the duty that must begin at home. And their effort must be universal, with no exceptions. Parents must be steadfast, determined, and constantly firm.

Accidents will happen, even when all laws are strictly obeyed. But winking at the law only encourages tragedy. And it doesn't soften the blow just because "everyone else is doing it."

The three children who died on Marion County roads this summer are mourned not only by their families and friends but also by others who did not know them as well. Newspaper stories brought the hard cruel facts to the attention of the public. It was not a pleasant job for reporters, but it was one that had to be done.

Perhaps the shock of such tragedy will prevent further tragedy. It's so frustrating and agonizing for life to end in such a way at such an early age. The public must be united to preserve our children, for they are our most precious product.

★ Opinion

Kansas law could be better

Forgive the partiality, but the State of Oklahoma might not have a bad idea.

It took one phone call and five seconds to clarify Oklahoma's legal driving regulations. It's quite simple—at age 15½ persons may receive a learner's permit which requires them to drive only when accompanied by a licensed driver in the front seat at all times. Persons may receive a driver's license at age 16.

The call to the Kansas Highway Patrol Department was a bit more complicated. Kansas' law agrees with Oklahoma in one way—a person must be 16 years of age to receive a driver's license. But the Sunflower State disagrees in the most crucial area. At age 14, drivers may obtain a restricted license which involves a host of stipulations.

Kansas law states that a driver with a restricted license may drive to and from school or work only and at all other times, the driver must be accompanied by an adult with a valid driver's license.

Recently, Marion County Record staff writer Matt Newhouse wrote a

★ editorials

story concerning a few Centre school district parents urging stricter enforcement of the restricted driving privileges allowed in Kansas.

It's disturbing that it takes the deaths of 14-year-olds in Marion County to make us wake up and question the system. That year and a half difference could have made the difference in saving lives.

Most wouldn't dream of allowing a person to assume the U.S. presidency at age 30 nor would they consider giving someone the right to vote at age 16. Age does matter. A year can make a world of difference in a person's maturity level. If you don't believe it, just ask a parent of a student who's just finished his freshman year of college. In that one year, most will agree, "momma's little baby" from high school can sure grow up fast.

To help reduce the students' need to drive, several area school systems provide an activity bus for students to at-

tend school-related events.

Yes, USD 410 is included in that program. The USD 410 school activity bus is offered, if enough students sign up to use it, for all high school out-of-town trips. But like with anything else, it must be utilized to become an advantage. Parents and students — it's up to you to encourage its use!

While we're getting "tough on drugs" and "tough on crime," let's stop and re-consider our Kansas' driving regulations. Let's get tough on illegal drivers. Wake up, Marion County, and smell the coffee. Our driving habits are too lax.

Members of the sheriff's department and city police departments — we're counting on you! Why not go to the schools and discuss the driving laws? Let students know that you're out there watching them. Teachers — emphasize the idea of obeying the law. Parents — just because "Suzy gets to drive," doesn't mean you can't remain firm. Restricted driver's licenses means just that — it's restricted.

Until Kansas lawmakers realize the change is needed, let's at least obey the law that we have!

Editorials

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—Marion County Record

Editorials

Unrestricted driving

If the number of tickets and accidents in McPherson involving high school students driving in violation of restricted driving permits is any indication, it appears that there is a substantial problem here. For some reason, both parents and students don't consider the law serious enough to be enforced.

If, indeed, that is the case, parents who permit their children to skirt the law need to think again.

So far we have been lucky. There haven't, at least recently, been any fatalities caused by youngsters driving in violation of their restricted permits, but with the number of accidents reported, it can only be a matter of time. At age 14, there just isn't the experience or the judgment needed to drive properly and defensively enough.

For that reason, the license for 14 year olds is restricted to driving to and from school "on days when school is in session over the most direct and accessible route between the licensee's residence and school

of enrollment for the purpose of school attendance."

According to a recent attorney general's opinion, that doesn't permit students to drive home for lunch during the school noon hour, to drive to school for after-school activities, or to drive to classes offered for credit, during non-traditional times such as evenings or summer.

A restricted permit also permits 14 year olds to drive "while going to or from or in connection with any job, employment or farm-related work."

Those are the extent of the times that driving can be done on a restricted permit, and it's up to both the parents and the police to strictly enforce it.

Running errands and joy-riding certainly aren't permitted, and "But dad (or mom), all the kids are doing it" just won't do. It's the law.

—The McPherson Sentinel

10/13/88

Concerned About Restricted License Misuse

County and City law enforcement officers are concerned about the number of under-age drivers who have been violating the provisions of the restricted driver's license law, Officer Don Rosine said this week.

Several serious accidents involving drivers in violation of restricted provisions have occurred in the county in recent months, and officers are seeking to remind drivers and parents of the problem.

Young people who operate on the restricted licenses, aged 14 to 16, are urged to remember the limitations on the license. They are allowed to drive to and from school by the most direct route; to and from jobs; or with an adult seated in the vehicle with them.

They may ride motorcycles if another cycle with an adult driver is riding with them.

Other than this, they are generally not allowed to drive on the public roads.

The problem is that many young drivers feel that once they get their "license" -- even though it says restricted -- they are free to drive when and where they please, Rosine says, and that is not correct.

Law enforcement officers are reluctant to make trouble for the young folks, but the recent rash of wrecks probably will bring on stiffer enforcement of the letter of the law.

Officers are particularly urging parents to discuss this with their young people, and cooperate in keeping the drivers legal.

Violation of the rules can result in suspension of the license until the age of 16. The County Sheriff also can recommend the suspension of any restricted license.

Volleyball Girls Split Games

The Peabody High Volleyball girls won their game with Sedgwick, but lost to Collegiate in the triangular at

Fall Clean-Up Is Next Week

The annual Fall Clean-Up will be held in Peabody next week, on Monday, October 17 and on Wednesday, October 19.

City officials are urging everyone to clean up their places this weekend and have the junk and trash out for pickup next week.

Anyone having heavy items, such as furniture or appliances or other such items that cannot be picked up by the compactor, should call the City Office and make arrangements for special pickup.

The extra services are at no additional charge, the weather is supposed to be good, and City officials hope for an excellent cleanup this Fall.

Concordia Athletic Stadium Named For Harold Clark

Harold Clark, longtime superintendent of the Concordia Schools, was honored in September by having the high school's new stadium dedicated in his honor.

Clark was superintendent at Peabody nearly 35 years ago. He retired after many years as the head of the Concordia system.

An official dedication of the stadium was held at halftime of the CHS football game Friday night, September 21.

The stadium was built during Clark's tenure as superintendent. The dedication was made at this time, since several improvements have been made this year, including a new scoreboard and track surface.

Clark and his wife, Margaret, were

Fines Assessed

Some rather hefty fines were assessed in Peabody City Court last week in several traffic related cases.

Michael Boss of Marysville was charged with reckless driving, the charges having been filed after a

A capacity crowd gathered in the Ann Potter Room at the Peabody Library Sunday to hear Bob Dickerson's lively discussion of Kansas depots.

Dickerson, postmaster at Turon and formerly long time railroad employee, has done extensive research on the state's depots. He offered a fine historical review of railroad events and an impressive display of photographs picturing scores of the structures he has studied.

Also displayed was a miniature model of a typical Kansas depot and a colorful painting of the one-time Peabody station done by Craig Ridenour. This painting has long been an attraction at the Peabody State Bank.

Dickerson traced the development of the Santa Fe and Rock Island railways, the types of depots built at

Peabody, Strong C other points, revealing cities used to gain also included numerous railroad history and save some of the old in danger of demolition.

The speaker mentioned numerous communities from his audience offered by his a vitally interested in Mention was made emigrants arrival body, the establishment of Harvey restaurant Depot War in Oklahoma pertinent items of

After the program moved to the Peabody Museum for a view exhibit and to be served in the Pioneer

COUNTY REPUBLICANS TO HAVE SOUP

The Marion County will host a soup and First National Bank Room, Hillsboro, on 18 at 7:00 p.m. representatives from al campaigns are Precinct persons here and Carol Wiebe of be contacted. All are invited to attend

Name Candidates For Queen

Candidates for and Queen have Peabody High School and Queen will be night before the with Remington.

The ceremonies around 7:00 p.m.

Candidates for are Angie Edmeyer and Faith N King candidates Jon Patterson and

The Homecoming night cap a week High School. This week, and each day theme for dressing

The big parade

Vocal Date Is Different

The date of the Fall Vocal Music Concert at PHS is not correct on the school calendar. The concert will be held on Thursday, October 27, rather

Rural Life

By Dr. Val Farmer

Helping Children With Their Grief

The death of a child devastates parents. They are plunged into their own sorrow, unsatisfied neediness, and emotional pain as they attempt to assimilate their loss. Their focus is on the one who was lost, not those who remain.

The environment changes. The household is in a state of chaos and disorganization. Routine is broken. Parents are distracted and irritable. Discipline becomes inconsistent.

Parents often assume children can't cope because they are barely coping themselves. They leave them out of discussions and rituals. As a result, children are often ignored, left out, and over-protected.

Children are children. Not adults. They don't grieve like adults . . . but they really do grieve. With everything else going on, children tend to get lost in the shuffle. Here are some ideas on how children grieve.

1. Children worry about the emotions and behavior of their parents.

2. The loss of a sibling brings about fear and insecurity. The surviving children may become clinging and demanding. They might worry about their own death or the death of their parents. "Am I next?"

3. Children have a hard time staying focused on the loss. They may be grieving one minute and laughing and playing the next. They may say things that are surprising and unnerving. Parents may interpret this as a seeming lack of concern or love. They can be remarkably honest and straightforward about the death, which may trigger more grief by the parents.

4. Children may grieve intensely without giving much evidence of it. They may be trying to suppress their own emotions. They may daydream. Some grieve privately. They may avoid new attachments. Others may become overly friendly and inappropriate. They become difficult to understand. They may have physical symp-

oms or a variety of accidents, cuts and bruises to seek attention. They may regress to behavior they had previously outgrown.

5. Children's grief may be expressed through angry outbursts, fights, poor grades or other ways of calling attention to themselves. They may be angry that they are being left alone. Because their parents are emotionally unavailable to them, they may become preoccupied with meeting their own needs. A teen-ager may try to replace the loss through addictive distractors.

6. A child may feel a heavy dose of survivor's guilt if he or she feels they did something to cause the death. A history of pre-existing conflict with a sibling also predisposes a child to guilt. They may magically attribute their feelings of anger as contributing to their sibling's death.

7. The parental idealization and preoccupation with the memory of the dead sibling may cause a child to feel unloved. A child may feel his or her life is being lived in the shadow of the one who was lost.

8. The child may overidentify with the deceased sibling and try to take on their characteristics or meet expectations for that child. He or she may see their sibling as all "good" and themselves as "bad."

9. Children's grief responses are age-related.

From 0-3, children sense something is different and cue in on the parental feelings. They may react by being whiney, fussy or hyperactive.

From 3-6, children believe death is reversible and don't appreciate the finality of what has happened. They don't understand logical connections.

From 6-9, children may understand the finality of death but not relate it to themselves personally. They attempt to gain mastery over their environment by gaining detailed information. They may be fearful. Death is something you catch, like a cold.



From 9-12, children appreciate the impact of the death in terms of how it affects the family and personal security. Around 11 years of age, children make the connection about the likelihood of experiencing future losses in their lives.

A teen-ager experiences a full range of grief responses like an adult, but this is superimposed on the normal turbulence of adolescence. The needs of teen-agers are often overlooked by grieving parents. Parents may assume they are more adult than they really are. Teens also may try to cover up their grief in order not to appear different from their friends.

How can parents help their child with his or her grief?

Allow kids to mourn. Don't keep children in the dark. They will pick up on your body cues and feelings. Define what is going on. If you don't, they will draw their own conclusions anyway. Honest facts hurt far less than a scary fantasy. Answer questions, simply and honestly. Don't feel obligated to have an explanation for everything. "I don't know" may be the best answer. Don't minimize their loss.

Be open with your grief. This will give children permission to talk openly also. Touch and hold them as you talk. Don't try to take their pain away. Probe for any guilt feelings and reassure your child that the death was not his or her fault.

Include children in family rituals around the death. Give them a role in planning the funeral and participating in the various ceremonies and rituals. Prepare the children for what they will see. Their grieving will go better when they have an opportunity to confront the dead body at their own pace and in their own way.

Grief that is not expressed with childhood losses continues to be unfinished. Many adults struggle with unresolved losses from their

childhood. Hiding and disguising a loss only postpones the day when the grieving needs to be done, often with destructive results.

Val Farmer is a clinical psychologist who specializes in rural mental health and family relationships. He is director of the Rural Enhancement Program at the West River Mental Health Center in Rapid City, S.D.

1988 Extra Newspaper Features

Grass & Grain
11/1/88

6-11

THE STUDENTS of Douglas Memorial High School in East Douglas, Mass., hear the whine of a battery-powered electric motor as Tom, a dark-haired man in his 40s, works a puff-and-sip control device to steer his motorized wheelchair to the front of the room. He speaks slowly but clearly about his experiences:

"I had a second chance, and I blew it," he begins. And then, before an utterly silent gathering, he tells how, as a young man, he got to drinking one day and then joined a buddy for a disastrous auto ride, doing heavy damage to the cervical vertebrae in his neck.

"The doctors got me patched up and put me in a neck brace and warned me not to take off the brace, not to drive, not to drink. I thought I knew more than they did. I got drunk again and had another

crash. That one put me where I am today."

The silence is almost palpable as the students consider that Tom, who is paralyzed from the neck down, once felt as invulnerable as many of them feel right now. Yet there he is, a living reminder that it can take only an instant to lose almost everything.

EACH YEAR, at least 26,000 Americans suffer severe head injuries because of drunk driving. In as little as the blink of an eye, victims can lose their most distinctive possession: their personality.

As a matter of course they also lose their memories, their knowledge, their friends and their freedom. The typical victim is a young man between the ages of 15 and 25. Only five percent are able to resume normal lives, according to the

Maybe you know that drunk driving can kill you. Maybe you *didn't* know it can lead to . . .

A Fate Worse Than Death

By EDWARD ZIEGLER

PHOTO COLLAGE: © AUDREY BERNSTEIN

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A FATE WORSE THAN DEATH

National Head Injury Foundation. Lifetime costs of caring for an average victim are now more than \$4.5 million. Few types of injuries are as expensive to treat—or as devastating to live with—as damage to the brain.

Each of the brain's 50 billion cells supports its own busy traffic of messages along its branchlike axons and dendrites, which link up to form a dense webbing of connections. These links are the very basis of intelligence, the means by which our cells communicate with one another, sometimes receiving messages from outside, or signals from within—all orchestrated with a complexity that scientists doubt we will ever fully comprehend. When these connections are torn loose by injury, instantaneous and catastrophic loss can be inflicted.

It's a MONDAY AFTERNOON at The Devereux Foundation just outside Philadelphia in the old Main Line town of Devon. Neuropsychologist Joseph C. Conley, Jr., is working with a young man named James, who, at 22, walks with an abnormal gait and is unable to join one idea easily with another.

Since 1982, Devereux—a mental-health, special-education institution with facilities across the country—has had a widely admired program for brain-injured patients, two-thirds of whom are there because of accidents involving drunk driving. James has been here for a year.

He can't remember his crash, but

the facts are well established. James left a bar in Toms River, N.J., in his mother's brand-new car and hit a telephone pole at about 45 m.p.h., snapping the pole in two. He was hurled through the driver's window and was found lying on the pavement. For three weeks he was comatose. Now, nearly two years later, he is working very hard on his "cog." That's short for cognitive training, and entails exercises to build his memory, increase his mental flexibility and promote concentration, all of which were badly diminished by his injuries. James also has trouble with self-control.

"Tell about your trip to the Bahamas, James," Conley suggests. James looks confused. Conley gives him an encouraging nod. "With your family," he adds.

"Oh, yes. At the hotel. There was this really pretty girl . . ." Puzzled, James gropes for the memory of that brief encounter. His face, that of an athlete with boyish good looks, droops on one side. This result of a severed cranial nerve leaves his features marked with a permanent lopsidedness.

With frequent pauses and promptings from Conley, James completes his story: He was not able to control his impulses as well as he would have liked, and stared openly at the girl. She was embarrassed. So was James.

OUR BRAINS are wonderfully equipped to withstand the thumping of everyday life. The surround-

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A FATE WORSE THAN DEATH

ing cerebrospinal fluid acts as a shock absorber when we walk or change directions or even fall down. But extreme stresses, say a sudden encounter with part of a car's framework, can devastate the brain.

David C. Viano, principal research scientist in the Biomedical Science Department of the General Motors Research Laboratories, describes the first few milliseconds of a 45-m.p.h. impact with a telephone pole in which the victim is not wearing a lap-shoulder belt:

"As the car hits the pole, it stops abruptly, then rebounds slightly. Meanwhile, the driver keeps moving forward, building up speed with respect to the inside of the car. He hits the framework at 25 to 30 m.p.h." In that crucial instant, Viano says, the brain, a three-pound mass, has an inertial weight of up to 450 pounds, which explains the terrible injuries to which it is subject. "Because there's fluid space between the brain and the skull, on impact the brain can actually move with respect to the skull—and it's that relative motion that is one of the key causes of brain injury."

As the brain rocks forward and hits the front part of the skull, then sloshes backward, the frontal lobe—which is critically involved with judgment, self-restraint and personality—is frequently bruised or lacerated. As the brain continues to move, pinpoint hemorrhages can occur and neurons may tear loose from each other.

Then there are the bridging

veins that lie atop the brain. They can stretch and even break. When these vessels tear, they leak blood into the area between the hard skull and the soft brain, under the canvas-like covering called the dura. Such a subdural hematoma, or blood clot, can kill within minutes.

PHIL is a slender young man with a plaintive huskiness in his voice that compels attention. He is performing his own songs and poems set to music at The Devereux Foundation in Santa Barbara, Calif. In the audience are several young adults, who, like Phil, are recovering from brain injuries suffered in auto accidents that involved drinking or drugs. "Loneliness is all around me," Phil sings. "I wish I could pass through this wall that I've made."

Phil was near death from head injuries after his silver Firebird turned over three times and wound up "crushed like an accordion," as he says, shortly after Thanksgiving 1983, on a rural road near his North Andover, Mass., home.

He remembers waking up in a hospital bed on Christmas day, "fighting and screaming." He couldn't talk, and felt so depressed that he considered suicide—before realizing that there was no way he could act on that impulse, because he was partially paralyzed. After three different hospitals and nearly two and a half years of intense therapy at Devereux, he had regained much of his bodily function and a fuller, more meaningful

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life. However, his memory is still checkered with blank spaces.

Phil can recall his recent work for a high-school equivalency diploma, but his previous high-school years have been lost. Instead of old friends, who have now gone their separate ways, his world is made up largely of fellow head-injury victims who, like him, are fighting to regain self-respect and independence.

For a young man who had so much, it is very hard, Phil says, to go through what he has experienced: "Being in diapers again and living in a wheelchair and struggling to get to where I am now. . . . It's hard for my folks too. I have to get others to taxi me around. I'd like to be more independent. I used

njury than the sober motorist. Extensive analysis of over one million auto accidents by Patricia Waller at the Highway Safety Research Center at the University of North Carolina suggests that alcohol reduces the tolerance of the body to impact injuries.

Alcohol's effects on the nervous system, including the brain and spinal cord, Waller says, make the drinking driver or passenger far more vulnerable to sudden death. Furthermore, studies make it clear that brain injury is actually worsened by the presence of alcohol, as alcohol will increase cerebral swelling. "In a crash, no matter what the speed, the drunken person is more likely to be seriously injured or

170 good transition, the sharp or quick remark," Conley says. "None of that requires deliberate application of our minds." James has lost that. "You or I also have a distinctive lilt to our spoken language—I call it the melody." For James, that is gone too.

"When you have a severe head injury, everything becomes a big deal," Conley continues. "Thoughts take far longer to frame and complete. And it can be pretty exhaust-

171 killed than the sober person," says Waller. "The folklore that if you are drunk you are more relaxed and less likely to be injured is absolutely not true."

BACK AT Devereux's Philadelphia headquarters, James's therapy continues. Conley shows him a photo of two boys sitting on a dock and asks him to make up a story about them. This story also comes haltingly. At each pause, Conley turns over a three-by-five card. Each bears a "connector" word, like "then" or "with," that helps James to keep the narrative going.

"Each of us has this tremendous automated support system of verbal thought in our brains that silently provides the wanted phrase, the to go out with a few girls. But I don't want to ask them, 'Hey, pick me up.' That doesn't seem right." One of his song lyrics sums up his sense of loss: "I don't look for the freedom no more. . . ."

When he occasionally gets word of the old crowd, he hears they're doing the same things—drinking and living as he used to—with the cool nonchalance that says bad things happen only to others, never to you.

ALCOHOL, which interferes with judgment and coordination, is well known to be the cause of many catastrophic accidents. But there is growing evidence that it does something more: a significant new discovery is that the drinking driver is at far greater risk of serious ing. James may continue to improve for a while, Conley adds, "but the recovery curve tends to flatten out after the first three years."

James has one message that he wants to convey. With effort, he deliberately frames a warning. "Don't drink and drive," he says, looking anxious—unsure that he got all parts of the sentence in their correct order. Conley nods his approval, and James smiles in satisfaction.

Judge sentences teen speeders to observe victims at hospital

MACON, Mo. (AP) — Judge James Foley got tired of teenagers driving too fast in his county so he came up with a punishment some say is worse than a horror movie. But others swear it saved their lives and made them think twice about driving too fast.

Youngsters charged with going 80 mph or more in Macon County get what Foley calls "educational punishment" — a day of seeing high-speed wreck victims, many unable to move little more than their eyeballs in a hospital bed where they live out their lives.

"I've been on too many phone calls from the highway patrol saying that some youngster was killed in a car wreck. I'm sick of that," said Foley, a county prosecutor for 23 years before becoming an associate circuit judge 1½ years ago.

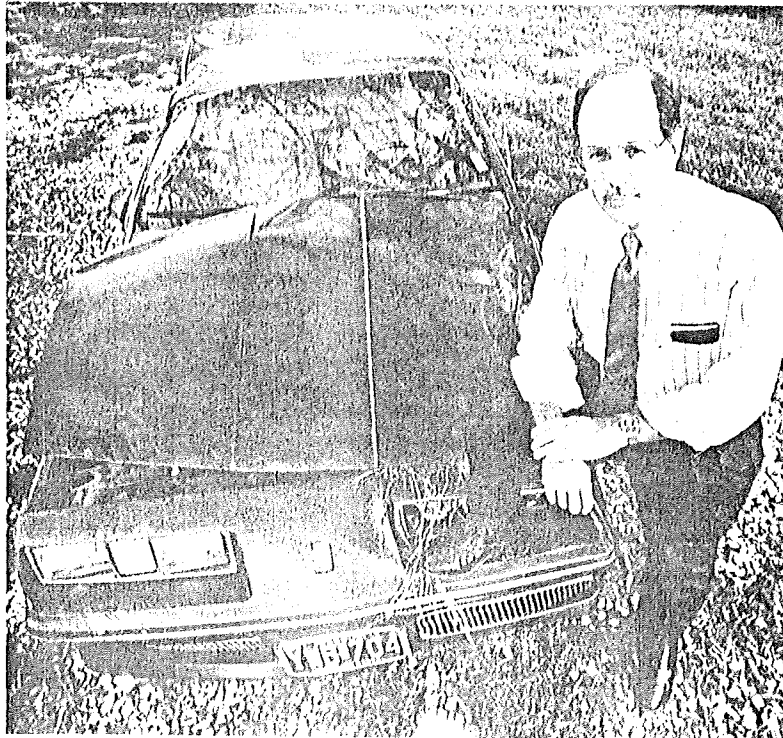
"I'm trying to reach youthful drivers who have 50 years ahead of them. You expect kids to make mistakes, but if you let them do nothing about it but mail in a fine, then what have you done to modify their behavior?"

Foley has sent about 30 speeders ages 16 to 21 to the University of Missouri Health Sciences Center at Columbia in groups of three to five each month for a day of talking to doctors, nurses and other staff members along with some of the patients. The youngsters then have to write an essay about what they learned.

He said nobody making the trip to Columbia has reappeared before him for speeding although one was later caught in another county going 90 mph.

Foley got the idea last year and sent the first group to Columbia in October in what he and hospital officials call the only program of its kind in Missouri.

But they are not getting any break with the hospital trip. They still must appear in court and pay a \$150 to \$200 fine. They can lose their driver's licenses for up to 90 days and face the threat of jail if they fail to go to the hospital.



Associated Press photo

Judge James Foley sentences teens convicted of speeding to a day at a hospital to witness how seriously injured people cope with their injuries.

After touring the intensive care unit, where patients are connected to a maze of tubes and wires keeping them alive, a 17-year-old boy caught going 94 mph wrote, "This scene was more disgusting than watching all of the Friday the 13th movies consecutively."

He also noted, "Although everyone makes mistakes not everyone gets by as easily as I did. Some people will pay for their high-speed driving for the rest of their lives."

Another speeder, an 18-year-old boy caught doing 80 mph on his motorcycle, wrote that he gave up his cycle.

"I have lost my nerve and don't want to have my luck run out. I want to live a long life," he wrote.

The day at the hospital shows what can happen to those seriously injured, said Kathleen Cain, who runs the program and is coordinator of the hospital's head

and spinal cord injury prevention project.

She said they get a picture of what happens from the time somebody is admitted, through treatment and rehabilitation. They also learn it costs several hundred thousand dollars to care for somebody with a severe head or spinal cord injury.

"They expect to see blood and guts and be frightened," she said. "The real reality for them is seeing somebody trying to learn to eat or learn to speak. They see people doing things as basic as learning how to comb their hair."

For the most part the patients are the same age as the speeders, which Ms. Cain said has a profound impact on them.

"The day slowly grows on them. They don't come in and immediately see something that'll knock their socks off," she said. "As the day goes on, they get quieter."

RELATED FACTS
(Facts taken from 'Kansans For Highway Safety')

In 1987

- (A) 1722 collisions, 13 fatalities, and 1094 injuries involved drivers under age 16, and;
- (B) 17% of all teenage motor vehicle deaths involve drivers under the age of 16 years, and;
- (C) 23% of all passengers who die in motor vehicle crashes do so when a teenager is driving, and;
- (D) Drivers 14 to 16 years of age are responsible for twice as many crash deaths per license holder as drivers ages 30 to 64 years, and;
- (E) Per mile driven teenagers are more than twice as likely as drivers ages 30 to 54 years to be in alcohol-related fatal crashes, and;
- (F) At ages 13 to 15 years, motor vehicle fatalities comprise 28.5% of all deaths.

To be a good driver one must:

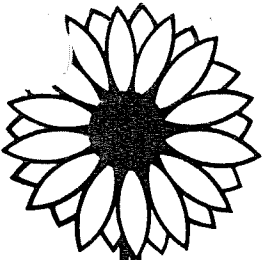
- A. Be able to see clearly
- B. Have good muscular coordination
- C. Must be able to have good judgement and take proper action in an emergency situation.

Drivers are six times more likely to have an accident with .1% blood alcohol concentration or 5 drinks.

Driver's Education consists of 30 hours of classroom work and six hours of behind the wheel driving.

Options

- 1. Increase Driver's Education requirements---specifically the required driving time.
- 2. Require a more vigorous driving test for restricted licenses.
- 3. Require enforcement of present regulations/rules governing the restricted license holder and his/her parents. Consistency and consequences need to be implemented.
- 4. Rewrite the law to allow:
 - (A) 15 year olds to be holder of restricted license and thereby removing 14 year old status.
 - (B) The holder of a restricted license to drive only pick-up and grain trucks.
 - (C) The holder of a restricted license to drive between the hours of 6:00 A.M. and 6:00 P.M. (Nebraska law).
- 5. Abolish restricted license law thereby making minimum age for drivers in Kansas to be 16 years of age.



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Kansans for Highway Safety

February 1989

TEEN DRIVER LICENSING IN KANSAS

Kansans for Highway Safety supports changes in the age licensing laws in Kansas including:

- The minimum age of restricted drivers be set at 15 rather than the current age of 14.
- A Kansas license will not be issued to any driver under age 18 unless that driver has passed an approved driver education course.
- Drivers on a restricted license shall be required to have an adult driver in the front seat of the vehicle.

RATIONALE:

Kansas Law now states, "The division of vehicles shall not issue any driver's license to any person: (a) who is under the age of 16 years, except that the division may issue a restricted class C or D license, to any person who is at least 14 years of age upon the written application of the person's parent or guardian."

As to the restrictions: "The restricted license shall entitle the licensee to operation the appropriate vehicle at any time: (1) while going to or from or in connection with any job, employment or farm-related work; (2) on days while school is in session, over the most direct and accessible route between the licensee's residence and school of enrollment for the purposes of school attendance; (3) when the licensee is operating a passenger car, at any time when accompanied by the adult who is the holder of a valid class A, B or C driver's license and who is actually occupying a seat beside the driver."

Because of the ambiguity of wording in the restrictions, the Attorney's Office has several times explained the law in more clarity, to the Kansas Dept. of Education and law enforcement agencies. For example, "the holder of a restricted license is not permitted by this statute to operate a motor vehicle for transportation to mere school activities" but rather "on days while school is in session, over the most direct and accessible route between the licensee's residence and school of enrollment for the purpose of school attendance" is quoted from Attorney General Opinion No. 83-83.

The section regarding allowance of operating a vehicle "while going to or from or in connection with any job or employment" is also somewhat ambiguous, and this reason can be open to abuse.

At this time:

- Five other states besides Kansas allows 14 year old drivers.
- Only Kansas does not require 14 year old children (or any drivers) to pass an approved driver education course.
- Only Kansas does not require 14 year old drivers to be accompanied by an adult driver in the vehicle.

Is there a problem with the 14 year old driver? Approximately 25,000 new drivers each year are age 14. Of total drivers 3% (50,000 of 1.5 million) drivers are ages 14 and 15 years old. Last year 322 collisions, 6 fatalities, and 207 injuries involved drivers age 14. Many parents do not allow 14 year olds to drive. Some only allow them to drive with the parent in the vehicle. Therefore, it is the remainder of those 14 year old drivers who are most at risk.

According to the Insurance Institute for Highway Safety report "Teenage Drivers", 1987, "nearly 10,000 teenagers die each year in crashes, making this the number one killer of our youth...And the majority of fatally injured teenage passengers sustain their injuries in cars driven by other teens." Regarding curfews, the study shows "About half of the fatal motor vehicle crashes involving teenagers occur at night...When beginning drivers are not allowed to drive during late night and early morning hours because of driving curfew laws, they have to get their initial driving experience during the lower-risk daytime hours. The result is fewer fatal crashes." Regarding licensing age the report states, "Another way to reduce teenage driving - and crash deaths in injuries, too - is to raise the legal age for obtaining licenses to drive." This has occurred in several states.

Studies have shown that new drivers are more cautious. The crash problem in Kansas is now greater with 15 and 16 year olds. By raising the driving age, the collisions during these age groups should also be decreased as well, as studies in other states have shown.

Kansans for Highway Safety asks that you please support passage of this legislation.

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TOPEKA

HOUSE OF
 REPRESENTATIVES

March 1, 1989

TESTIMONY

HOUSE TRANSPORTATION COMMITTEE ON HB 2343

COMMITTEE ASSIGNMENTS
 MEMBER: JUDICIARY
 LABOR AND INDUSTRY
 JOINT COMMITTEE ON ADMINISTRATIVE
 RULES AND REGULATIONS
 CALENDAR AND PRINTING
 LEGISLATIVE, JUDICIAL AND
 CONGRESSIONAL APPORTIONMENT
 GOVERNOR'S ADVISORY COMMISSION
 ON JUVENILE OFFENDERS

I. INTRODUCTION

In 1988, 27,036 Kansas students graduated from Kansas High Schools. However, for 5,105 Kansas students there was no graduation ceremony, no diploma, no celebration of an achievement and no future dream of a better life. In 1987-1988 5,105 high school students dropped out of school at the following grade levels:

Ninth Grade	753
Tenth Grade	1,460
Eleventh Grade	1,605
Twelfth Grade	<u>1,287</u>
	5,105

In this figure is an average during this decade, the 1980's, approximately 40,840 Kansas high school students who have terminated their high school education careers.

HB 2343 is patterned after a West Virginia law to curb the high school dropout rate. West Virginia is the first state to adopt a law allowing the Department of Motor Vehicles to revoke the driver's license of students between the ages of 16-18 who drop out before graduating.

In a six month period the department has notified 363 dropouts that their licenses will be revoked if they do not enroll in school or a G.E.D. equivalency. About one-fourth of those kids have gone back to school. West Virginia schools annually have a dropout rate of 19% or an estimated 5,000 students. The law requires students to show proof of enrollment when applying for a learners permit.

Most teens who called about the program are willing to re-enroll or get a G.E.D. About 20 hardship cases have been excused. These require a letter from the school District Superintendent stating the necessity of a dropout keeping a license.

II. SUMMARY OF HB 2343

A. New Section 1:

- (a) Department of Motor Vehicles shall deny license or instruction permit to anyone under 18 who does not present diploma or other graduation certificate or documentation that :

- (1) Has obtained a G.E.D. or is enrolled and making satisfactory progress in a G.E.D. course.
 - (2) Enrolled in secondary school.
 - (3) Excused from such requirement due to circumstances beyond persons control.
- (b) Upon application for or reinstatement of instruction permit or license, Principal shall provide documentation of enrollment status.
- (1) If student over 14 withdraws from school Principal shall notify Department of Motor Vehicles:
 - (a) within 5 days D.M.V. shall send notice that license will be suspended on 30th day unless documentation of compliance is received.
 - (b) withdrawal defined as more than 10 consecutive or 15 days total unexcused absences.
 - (c) no notice of suspension sent if withdrawal is beyond control of student or for purpose of transfer.
 - 1) suspension, expulsion from school, imprisonment, is not circumstance beyond control of student.
 - 2) Superintendent is sole judge of whether withdrawal is due to circumstance beyond control.

B. Section 2 Amends K.S.A. 8-237

Division of vehicles shall not issue any driver's license to any person:

- (a) Under age of 16, Division may issue restricted Class C or D license to anyone between 14-16 upon written application of parent/guardian and presentation of documentation in Section I.
 - 1) Adds failure to comply with Section I as 4th reason
Restricted license can be suspended. Current law allows restricted license to be suspended when:
 - a) violate restriction
 - b) involved in 2 or more accidents chargeable to licensee.
 - c) recommendation of chief law enforcement officer.
- (b) Adds subsection (h) to prohibit issuance of driver's license to anyone under 18 who has not complied with Section I.

C. Section 3 Amends K.S.A. 8-239

Instruction Permits.

- (a) Person 14 may apply for a 6 month instruction permit as long as he/she presents compliance with subsection I documentation and has written application of parent or guardian.

- (b) Division upon receipt of application and documentation can issue restricted instruction permit effective for 1 year or more to applicant 14 who is enrolled in driver's education program.

HB 2343 provides some incentive for high school students to stay in school or at least achieve their General Educational Development Certificate (G.E.D.)

III. SUMMARY

As State Legislators we must assume a leadership role in creating a positive educational environment for the next generation of Kansas youth. We must discourage activities and decisions which foster a continued state of dependency and delinquency.

The state and local school districts must join together in a concentrated effort to keep more students in school until graduation and to increase their basic academic skills while in school. Old patterns of doing business are no longer acceptable - we can do better in Kansas to encourage those 5,105 students who annually drop out of Kansas schools.

Many significant changes are needed if we are to address the problems associated with high school dropouts. Changes include early childhood education, home-based programs, family life skills, alternative educational programming, child care and encouraging students to stay in school. The decision is ours. Kansas citizens can continue to pay taxes for the public sector to develop and build bigger and better prisons for those individuals who do not succeed in our educational system. Or we can choose to pay taxes for public and private sector development of quality education, career employment and those other services that present positive learning alternatives and incentives to students to stay in school and complete their basic education.

Teenagers who drop out of school pay a high cost in future employment opportunities. Taxpayers pay a high cost when they are forced to deal with the social and economic problems created by high school dropouts.

The statistics indicate that 80% of the inmates at K.S.P. are high school dropouts.

This bill provides an incentive to encourage high school students to remain in school and thus helps to prevent some of the social and economic problems which result from teenagers dropping out of school.

I encourage you to support HB 2343.

Dropout Rate and Graduation Number and Rate (Includes GED)

Dropout Rate by Percent 1982-1988

1-89

8-4

	State Percent	USD Enrollment 0-399 Percent	USD Enrollment 400-1,999 Percent	USD Enrollment 2,000-9,999 Percent	USD Enrollment 10,000 and over Percent
1981-1982	4.9	2.3	3.7	6.4	5.8
1982-1983	4.6	2.2	3.5	6.2	5.1
1983-1984	4.2	1.7	3.0	5.4	5.0
1984-1985	4.3	1.7	3.0	4.7	6.0
1985-1986	4.0	1.9	3.0	4.4	5.2
1986-1987	4.1	1.7	2.6	4.5	6.0
1987-1988	4.3	1.9	3.0	4.4	6.4

Dropouts 1987-88

Number of Dropouts	Number	Percent
Grades Ninth - Twelfth	5,105	4.3
Sex		
Female	2,251	44.1
Male	2,854	55.9
Grade Level		
Ninth	753	14.8
Tenth	1,460	28.6
Eleventh	1,605	31.4
Twelfth	1,287	25.2
Race		
American Indian	58	1.1
Asian/Pac. Islander	108	2.1
Hispanic	304	6.0
Black	570	11.2
White	4,065	79.6

A dropout is defined as a pupil who leaves a school for any reason, except death, before graduation or completion of a program of studies and without transferring to another school.

(continued on back)

Graduates

Graduates, 1987-88	Number	Percent
Females	13,332	49.3
Males	13,704	50.7
Total	27,036	100.0

Status of 1987-88 Graduates

Attending:

Four-year college or university	11,460	42.4
Two-year college	5,718	21.2
Other type college	460	1.7
Other postsecondary (noncollege)	1,299	4.8
Employed	4,762	17.6
Unemployed	607	2.2
Entered military service	1,127	4.2
Other	438	1.6
Unknown	1,165	4.3

Graduation Rate*

Year	Percent	Rank Among States
1972	82.8	15
1982	80.7	7
1984	81.7	9
1985	81.4	9
1986	81.5	8

* Computed by the U.S. Department of Education, State Education Statistics, "Wall Charts"

Graduation Educational Development Test (GED)

	Number Taking	Number Passing	Percent Passing
Jan. through Dec., 1985	6,939	5,632	81.16
Jan. through Dec., 1986	7,286	6,051	83.05
Jan. through Sept., 1987	5,633	4,604	81.73
Jan. through Sept., 1988	5,755	4,704	82.00

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS



5401 S. W. 7th Avenue Topeka, Kansas 66606
913-273-3600

Testimony on HB 2343
before the
House Transportation Committee

by

Norman L. Reynolds, Director of Education Services
Kansas Association of School Boards

March 1, 1989

Mr Chairman and members of the Committee, the Kansas Association of School Boards, which represents 301 of 304 unified school district boards of education would like to express its opposition to H.B. 2343. While we believe that the essence of H.B. 2343, to require attendance in school to be a necessity for youth under eighteen (18) years of age to secure and hold a valid driver's license, would surely gain the attention of these young people, we oppose placing the reporting of non-school attendance to the proper authorities as an additional workload on the already over loaded school administration.

The committee needs to be aware that mandatory attendance in school stops at the age of sixteen (16) unless the student is under some type of court order. This would seem to be some inconsistency with the mandatory-to-drive requirement and the mandatory attendance law.

In addition, KASB has a concern about placing the burden of what constitutes an appropriate reason for non-attendance on the superintendent of each district. What might be considered appropriate in one school district might not be considered appropriate in another school district. This could create a dual standard for how students are treated from one district to another.

Att. 9

Finally, KASB has more than a small concern about the liability placed on any district who, for whatever reason, failed to report the non-attendance of a student who is involved in an accident in which someone else is injured or that this student was not reported by the superintendent and the courts did not agree that the reason for non-attendance was appropriate.

We would appreciate opposition to H.B. 2343 in its present form. I would be happy to attempt to answer any questions about our proposal.