

Approved 1-17-89
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by Sen. Bill Morris at
Chairperson

9:00 a.m./~~p.m.~~ on Janurary 12, 19 89 in room 254-E of the Capitol.

All members were present except:

Sen. Sallee 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:

The Chairman greeted returning members and welcomed new members to the Committee. He also welcomed the returning staff.

Proposal No. 44 - Automobile After Market Parts

Hank Avila briefed the committee on the use of after market parts for repairing motor vehicles and whether legislation was needed to protect consumer interests with respect to the use of such parts. Automobile manufacturers would require original equipment manufactured (OEM) parts in order to validate any remaining warranty on the vehicle or the part installed had to be certified by an independent testing laboratory that the quality of the crash parts equalled or was better than the quality of the OEM parts.

For years manufacturers of after market parts had avoided especially the exterior sheet metal parts. When some vehicles became more standardized the parts manufacturers began to enter this market. The competition has become more intense and there have been charges that the non-OEM parts are inferior to OEM parts - they do not fit as well, may deteriorate more rapidly, may affect the warranty, etc. These charges are countered by the allegation that OEM manufacturers are trying to stifle competition.

The Special Committee made its recommendation for legislation to help resolve the controversy and the result is H.B. 2015.

Proposal No. 45 - Transportation of Hazardous Masterials.

Hank Avila briefed the committee on this proposal which was a study on the regulation of transportation of high-level radioactive and other hazardous materials in order to determine whether further regulation was necessary and to determine jurisdictional responsibility in cases of accidental spills of these materials. The federal government has primary responsibility in the legislation in this area and most of the enforcement of the federal and state laws occur at the state level. The agencies involved in enforcement are KCC, Higway Patrol, Department of Health and Environment, State Board of Agriculture and State Fire Marshal.

The Committee recommended changes relating to the age of drivers of motor carriers and the State Corporation Commission will make its recommendations to the legislature. Since some of the recommendations were for further training for emergency response the matter will be brought to the attention of the Ways and Means Committee. The Kansas Department of Revenue will ask for legislation to have Kansas comply with the federal Commercial Motor Vehicle Safety Act of 1986.

There has been concern about the routing issue and Congress is presently working on the issue.

Meeting was adjourned at 9:45 a.m.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

