

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIESThe meeting was called to order by Sen. Bill Morris at \_\_\_\_\_  
Chairperson9:02 a.m./~~p.m.~~ on March 2, 1989 in room 254-E of the Capitol.

## Members present:

Senators Morris, Doyen, Francisco, Hayden, Kanan, F. Kerr, Martin, Rock, Sallee and Vidricksen.

## 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:

Sen. Marge Petty  
Cathy Holdeman, City of Wichita  
Mark Wettig, Department of Revenue  
Terry Heidner, Chief, Bureau of Transportation Planning, KDOTHearing on S.B. 161 - Requiring taxicab operator endorsement for taxicab operators.

Sen. Petty said this bill would better assure the safety of private citizens using taxi transportation. The bill had been prompted by several accidents which were alcohol related, involving taxi drivers. A copy of her statement is attached. (Attachment 1).

Cathy Holdeman, City of Wichita, said there were two taxi companies in Wichita and they were concerned and did not want local authority to be taken away.

Mark Wettig, Department of Revenue, said there were approximately 500 cab drivers in the state and it would cost approximately \$36 per year per license for this bill. It would be necessary to check on all convictions and other requirements.

The committee decided to hold this bill.

Hearing on S.B. 274 - Motor vehicles, filing of accident reports.

Terry Heidner, KDOT, said KDOT and the Department of Revenue have been cooperating for over a year in an effort to modernize and improve the state's capabilities in the area of motor vehicle accident data collection, analysis and reporting. This bill would change the responsibility for the printing, dissemination and collection of the state's accident form from the Division of Vehicles to KDOT. This method should be more efficient. A copy of his statement is attached. (Attachment 2). He also had some amendments which were submitted. (Attachment 3).

A motion was made by Sen. Rock to adopt the proposed amendments to S.B. 274. Motion was seconded by Sen. Hayden. Motion carried.

A motion was made by Sen. Rock to recommend S.B. 274 as amended favorably for passage. Motion carried.

Action on S.B. 105 - Citizens' Utility Ratepayer Board (CURB)

Sen. Kerr said he had some amendments to this bill. Without amendments, he felt this bill would encourage the Board to undertake items above and beyond what the Board is doing now. This could encourage additional layers

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

room 254-E, Statehouse, at 9:02 a.m./~~p.m.~~ on March 2, 1989

of bureaucracy. He also felt there should be a sunset amendment in two years so the Board would have to be re-evaluated.

A motion was made by Sen. Kerr to amend S.B. 105 by striking lines 46, 47, 53 and 58. The motion was seconded by Sen. Sallee. Motion carried.

A motion was made by Sen. Kerr to amend S.B. 105 to sunset in two years on July 1, 1991. Motion was seconded by Sen. Hayden.

A substitute motion was made by Sen. Martin to amend S.B. 105 by having it sunset in one year. Motion was seconded by Sen. Francisco. Motion failed.

A substitute motion was made by Sen. Hayden to recommend the Chairman should write a letter to the Legislative Coordinating Council requesting an interim study on this subject. Motion was seconded by Sen. Doyen. Motion did not pass.

The committee reverted back to the original motion on the two-year sunset provision. Motion carried.

The committee discussed the amendments which had been made previously to S.B. 123 which would allow the consumer counsel to appeal orders of KCC through the courts. A motion was made by Sen. Martin to amend this same amendment into S.B. 105. Motion was seconded by Sen. Francisco. Motion carried.

The Revisor had two technical amendments to the bill. A motion was made by Sen. Martin and was seconded by Sen. Francisco to amend S.B. 105 with the two technical changes. Motion carried.

There was committee discussion on what the effect would be in deleting line 53. This would prevent them from going before the KCC.

A motion was made by Sen. Martin to recommend S.B. 105 as amended favorably for passage. Motion was seconded by Sen. Rock.

A substitute motion was made by Sen. Francisco to reinsert line 53. Motion was seconded by Sen. Rock. A division was called for and the motion failed.

The committee reverted back to the original motion to pass S.B. 105 as amended. Motion carried.

Action on S.B. 123 - Citizen's Utility Ratepayer Board (CURB)

Sen. Kerr said that since this committee had just recommended S.B. 105 as amended favorable for passage he would make a motion to recommend S.B. 123 which is a similar bill, adversely. Motion was seconded by Sen. Hayden. Motion carried.  
Meeting was adjourned at 10:00 a.m.

GUEST LIST

COMMITTEE: SENATE TRANSPORTATION & UTILITIES COMM.

DATE: 3-2-89.

| NAME (PLEASE PRINT) | ADDRESS    | COMPANY/ORGANIZATION |
|---------------------|------------|----------------------|
| Terry Heidner       | Topeka     | KDOT                 |
| Ben Newbriser       | Topeka     | KDOT                 |
| Tony Maple          | Topeka     | High Patrol          |
| D. Mila             | Topeka     | KDOT                 |
| Sandra Denton       | Topeka     | Dept of Revenue      |
| Robert Ed           | Topeka     | Dept of Rev.         |
| John W. Smith       | Topeka     | K.D.O.R.             |
| Cathy Holdeman      | Wichita    | City of Wichita      |
| Al Maxwell          | Topeka     | KCC                  |
| Cindy Kelly         | Topeka     | KASB                 |
| Larry Conrad        | "          | KGE E                |
| DICK COMPTON        | HAYS       | MIDWEST ENERGY       |
| TREVA POTTER        | TOPEKA     | PEOPLES NAT. GAS     |
| J.M. Rosell         | TOPEKA     | Under Tol. KS        |
| Jim Ludwig          | TOPEKA     | KPL Gas Service      |
| CONNIE MCGINNESS    | Topeka     | 15 F. Nat. Gas       |
| ED SCHAUB           | "          | SITA                 |
| Curt Carpenter      | Great Bend | Centel Electric      |
| Macl White          | Topeka     | KDOR                 |
| DAN MCGEE           | GREAT BEND | CENTEL ELECTRIC      |
| Blaine Cleveland    | SALINA     | UTU                  |
| DON LINDSEY         | OSAWATOMIE | UTU                  |
| Ph. Holzer          | Topeka     | KTA                  |
| Anne Smith          | Topeka     | Heint Elbert - Mesa  |

STATE OF KANSAS

MARGE PETTY  
SENATOR, 18TH DISTRICT  
SHAWNEE COUNTY



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS  
MEMBER ASSESSMENT AND TAXATION  
JOINT COMMITTEE ON ADMINISTRATIVE  
RULES AND REGULATIONS  
JUDICIARY  
LABOR, INDUSTRY AND SMALL BUSINESS  
LOCAL GOVERNMENT

This bill is a public transportation bill which would better assure the safety of private citizens using taxi transportation. The impetus for this bill was several accidents which were alcohol related, involving taxi drivers. The bill merely established a base line for taxicab drivers in terms of their driving record and the level of safety the public can expect.

The intent of the bill is to establish statewide endorsement on the drivers license of those people who are employed as taxi drivers. The endorsement is dependent on their being 18 years of age, having no license revocations in the preceding 5 years, having never had a felony conviction, and as listed under K.S.A. 8-23, not suffering from a mental disease from which they have not been restored to capacity or being a "habitual drunkard, habitual user of narcotic drugs... which renders the user incapable of safely driving a motor vehicle."

In gathering the support data for this testimony, I talked with Lieutenant Ed Klumpp with the Topeka Police Department, who has related that he could furnish me with additional examples of incidences when cab drivers have been found in their cabs intoxicated. He related that while it was not a monthly occurrence that there are three or so taxicab accidents each year involving alcohol.

The intent is to make this uniform law statewide so that any of us traveling within the state or those who arrive in the state and use taxi transportation to move within a city can have some assurance that they will be transported safely. Cities would not be precluded from requiring proof of insurance from taxicab companies or a higher level of licensing for the driver.

The \$3.00 fee for the taxi endorsement would cover the cost of administrating the program.

I would like to suggest a conceptual amendment. After Section 1 b (4) there should be (5) having been convicted of more than one DUI within the previous year.

ATT. 1  
T&U  
3/2/89

JULY 142-2

KANSAS DEPARTMENT OF REVENUE MOTOR VEHICLE ACCIDENT REPORT

DUI STD 30  
V41288  
NO SEAT BELT STRAPS

|                                    |                                  |                                     |  |   |                              |
|------------------------------------|----------------------------------|-------------------------------------|--|---|------------------------------|
| Mo. Day Year<br>07-03-88           | Time (military) occurred<br>2012 | Day of week<br>mon                  | Location County<br>SHAWNEE                     | Location City<br>TOPEKA                   | Reference Number<br>4118-88  |
| Day Year<br>07-03-88               | notified<br>2017                 | mon tue wed thur fri sat sun<br>sun | On: Street/Road/Highway<br>2700 BLK CALIFORNIA | At: Street/Road/Highway<br>NW 1/2 SE 28th | Safety Responsibility Number |
| Investigating Officer<br>C. McCray | Badge No.<br>159                 | Investigating Officer               | Badge No.                                      | Photos taken by<br>none                   | Other (specify)              |

|   |  |
|---|--|
| 40 UNIT NUMBER 1<br>Owner's Name<br>Last: SAME<br>First: WILLIAM<br>Middle: A | 47 DRIVER NUMBER 1<br>Name: WILLIAM A                                |
| Owners Address: No. Street City State Zip<br>862-4009                         | Address: No. Street City State Zip<br>5813 S. CROSS PAULINE KS 66619 |
| Year/Make Model & Type (4dr, etc.)<br>79/CHEVY 4dr CAPRICE                    | Vehicle Identification Number<br>AN1N69G4J110703                     |
| 48 License Plate: KS BRD 330  | 49 Exp. Date: 88   |
| 50 KCC Rv/Pmt No.   | 51 See Codes on Overleaf   |
| 52 Type of Vehicle being Towed  | 53 Policy Number: 63BAP49265703-86                                   |
| 54 Vehicle Damage—Circle nos. for damaged areas.                              | 55 Number of Occupants incl. driver: 1                               |
| 56 Towed Vehicle 19   | 57 Vehicle Removal: B & J  |
| 58 Driver's License: KS J666H7  | 59 Injured Driver Removed To: MEDEVAC                                |
| 60 Restrictions on License  | 61 Written Note in Narrative   |

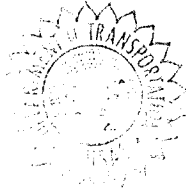
|   |   |
|---|---|
| 40 UNIT NUMBER 2<br>Owner's Name<br>Last: HUBERT<br>First: MICHAEL<br>Middle: A | 47 DRIVER NUMBER 2<br>Name: MICHAEL A                                   |
| Owners Address: No. Street City State Zip<br>2309 BELLVIEW TOPEKA KS 66605      | Address: No. Street City State Zip<br>1161 CLAY TOPEKA KANSAS 66604     |
| Year/Make Model & Type (4dr, etc.)<br>80/DATSUM 2dr 280 ZX                      | Vehicle Identification Number<br>HG5130-167424                          |
| 48 License Plate: KS NS 23538   | 49 Exp. Date: 88  |
| 50 KCC Rv/Pmt No.   | 51 See Codes on Overleaf  |
| 52 Type of Vehicle being Towed  | 53 Policy Number: 65-201336-01  |
| 54 Vehicle Damage—Circle nos. for damaged areas.                                | 55 Number of Occupants incl. driver: 1                                  |
| 56 Towed Vehicle 19   | 57 Vehicle Removal: TRIPLE A  |
| 58 Driver's License: KS D9TH3   | 59 Injured Driver / Pedestrian / Pedalcyclist Removed To: STORMONT VAIL |
| 60 Restrictions on License  | 61 Written Note in Narrative  |

|                                 |                   |               |           |
|---------------------------------|-------------------|---------------|-----------|
| 109 Driver Headed               | 110 Driver Stated | 111 Estimated | 112 Legal |
| 1 On 2700 BLK CALIFORNIA        | At Speed 30       | Estimated 135 | Legal 135 |
| 2 On ACROSS 2700 BLK CALIFORNIA | At Speed UNK      | Estimated 135 | Legal 135 |

|                           |                |                         |
|---------------------------|----------------|-------------------------|
| 118 Chemical Test Results | 119 Pedestrian | 120 School Bus Capacity |
| Driver 1 Test type B      | Test type      | Test type               |

|   |   |   |     |
|---|---|---|-----|
| 129 PEDESTRIAN/PEDALCYCLE                                 | 130 Clothing color was:                                     | 131 External Vehicle Features of striking vehicle contributing to injury severity (explain) | 132 |
| Last Name First Name Middle Initial                       | With: No or little contrast with background—Possible C.F. 1 | none possible probable unkn   | 132 |
| Address City State Zip                                    | Good contrast with background—Probably not C.F. 2           | 0 1 2 3   | 132 |
| Actions Prior: Pedestrian/Pedalcycle was going            | Unknown whether clothing color a contributing factor 3      |   | 132 |
| Street/Road/Highway From: To:                             |   |   | 132 |
| And was:  |   |   | 132 |
| crossing at intersection, x/walk, or with signal 1        |   |   | 132 |
| crossing not at intersection, x/walk, or against signal 2 |   |   | 132 |
| riding, walking, standing, in roadway on side. 3          |   |   | 132 |
| playing in roadway 4                                      |   |   | 132 |
| other activity in roadway 5                               |   |   | 132 |
| off roadway 6   |   |   | 132 |
| not stated (unknown) 7                                    |   |   | 132 |

STATE OF KANSAS



---

KANSAS DEPARTMENT OF TRANSPORTATION  
*Docking State Office Building*  
Topeka 66612-1568  
(913) 296-3566

Horace B. Edwards  
*Secretary of Transportation*

March 2, 1989

Mike Hayden  
*Governor of Kansas*

MEMORANDUM TO: The Honorable Bill Morris, Chairman  
Senate Committee on Transportation and Utilities

FROM: Terry Heidner, Chief  
Bureau of Transportation Planning

SUBJECT: Testimony on Senate Bill 274

Mr. Chairman and members of the committee, thank you for the opportunity to testify on Senate Bill 274. My name is Terry Heidner and I am Chief of Transportation Planning for the Kansas Department of Transportation.

KDOT initiated and supports the provisions of Senate Bill 274. KDOT and the Department of Revenue, Division of Vehicles have been cooperating for over a year in an effort to modernize and improve the state's capabilities in the area of motor vehicle accident data collection, analysis and reporting. There are several measures ongoing or in the planning stage to accomplish this improvement. One of those measures requires a change in statutes.

Senate Bill 274 proposes to change the responsibility for the printing, dissemination and collection of the state's motor vehicle accident form from the Division of Vehicles to the Kansas Department of Transportation. We believe this change will create some real efficiencies for the State of Kansas in the reduction of paper handling, elimination of redundant data entry operations and improvements in data timeliness.

There are some amendments since the bill was first drafted. I believe you have those in front of you. These amendments were suggested by the Division of Vehicles and KDOT is in agreement with them.

Mr. Chairman, that concludes my comments.

ATT. 2  
T&U  
3/2/89

# SENATE BILL No. 274

By Committee on Transportation and Utilities

2-15

ATT. 3  
T&U  
3/2/89

8-1610 and

14 AN ACT relating to motor vehicles; concerning accident reports;  
15 amending K.S.A. 8-1612 and K.S.A. 1988 Supp. 8-1611 and re-  
16 pealing the existing sections.  
17

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

19 **Sec 2.** ~~Section 1~~ K.S.A. 1988 Supp. 8-1611 is hereby amended to read  
20 as follows: 8-1611. (a) Every law enforcement officer *who*:

21 (1) ~~who~~ Investigates a vehicle accident of which a report must  
22 be made as required in this article; or

23 (2) ~~who~~ otherwise prepares a written report as a result of an  
24 investigation either at the time of and at the scene of the accident  
25 or thereafter by interviewing the participants or witnesses, when  
26 such accident under ~~subparts~~ paragraphs (1) or (2) results in injury  
27 or death to any person or total damage to all property to an apparent  
28 extent of \$500 or more, shall forward a written report of such accident  
29 to the ~~division~~ department of transportation within 10 days after  
30 investigation of the accident.

31 (b) Such written reports required to be forwarded by law en-  
32 forcement officers and the information contained therein shall not  
33 be privileged or held confidential.

34 (c) The provisions of this section shall be deemed to be satisfied  
35 by the submission of consolidated magnetic tape reports prepared  
36 by computer and containing the information required to be included  
37 in written reports. The format of such magnetic tape reports and  
38 the frequency of submission must be acceptable to the ~~division~~ and  
39 the secretary of transportation.

40 **Sec 3.** ~~Sec. 2.~~ K.S.A. 8-1612 is hereby amended to read as follows: 8-  
41 1612. (a) The ~~division~~ department of transportation shall prepare  
42 and upon request supply to police departments, sheriffs, and other

Section 1. K.S.A. 8-1610 is hereby amended to read as follows: 8-1610. On or before the tenth 10th day of each month, the secretary of health and environment shall report in writing to the ~~division of vehicles~~ department of transportation the death of any person resulting from a vehicle accident, giving the time and place of the accident and the circumstances relating thereto.

8-2

43 appropriate agencies or individuals, forms for written accident reports  
 44 as required in this article, suitable with respect to the persons re-  
 45 quired to make such reports and the purposes to be served. The  
 46 written reports shall call for sufficiently detailed information to dis-  
 47 close, with reference to a vehicle accident, the cause, conditions  
 48 then existing and the persons and vehicles involved.

49 (b) Every accident report required to be made in writing shall  
 50 be made on the appropriate form approved by the ~~division de-~~  
 51 *partment of transportation* and shall contain all the information re-  
 52 quired therein unless not available.

Sec. 4 53 ~~Sec. 3~~ K.S.A. 8-1612 and K.S.A. 1988 Supp. 8-1611 are hereby  
 54 repealed.

Sec. 5 55 ~~Sec. 4~~ This act shall take effect and be in force from and after  
 56 January 1, 1990, and its publication in the statute book.

57

(c) The department of transportation shall provide the division of vehicles with the necessary accident reports and accident data to satisfy the division's requirements as in K.S.A. 8-249, 40-3104 and 40-3118, and amendments thereto.

8-1610 and