

Approved 2-20-91
Date

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Representative Herman G. Dillon at
Chairperson

1:33 aXX/p.m. on February 12, 1991 in room 519-S of the Capitol.

All members were present except:

Representative Don Rezac - Excused

Committee staff present:

Hank Avila - Legislative Research
Tom Severn - Legislative Research
Bruce Kinzie - Revisor of Statutes
Jo Copeland - Committee Secretary

Conferees appearing before the committee:

Don Spitzengel - Pearl Harbor Survivor
Robert Wheeler - Pearl Harbor Survivor

The meeting was called to order by the Chairman, Herman G. Dillon.

HB 2043 - An act relating to motor vehicles, providing license plates for survivors of the attack on Pearl Harbor.

Chairman Dillon introduced Don Spitzengel, Pearl Harbor Survivor, who testified in support of HB 2043. (Attachment 1)

Mr. Chairman introduced Mr. Robert Wheeler, Pearl Harbor Survivor, who testified in support of HB 2043. (Attachment 2)

Mr. Chairman requested that a technical amendment be written on HB 2043 to read, "This act shall take effect and be in force from and after its publication in the Kansas Register."

The hearing on HB 2043 ended.

Mr. Chairman introduced Bert Cantwell, Supt. of Kansas Highway Patrol. Supt. Cantwell said he had two bill requests that he would like the Transportation Committee to introduce as Committee bills; (1) motor carriers inspection and (2) front license plates.

Representative Delbert Gross moved that the bills requested by Supt. Bert Cantwell be introduced as Committee Bills. Representative Parkinson seconded the motion. Motion carried.

HB 2060 - Handicapped Parking, defining physician.

Bruce Kinzie, Revisor of Statutes, explained an amendment to HB 2060 which has been proposed by Ray Petty. (Attachment 3)

Representative Smith moved that the amendment to HB 2060 suggested by Ray Petty be adopted. Representative Everhart seconded the motion.

Committee members expressed concern that the suggested amendment to HB 2060 changes the bill beyond its original intent. Representative Smith withdrew his motion and Representative Everhart withdrew her second.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:33 ~~XX~~/p.m. on February 12, 1991

Representative Everhart moved that HB 2060 be amended to provide that the current definition of "physician" include those persons licensed to practice chiropractic. Representative Shore seconded the motion. The motion carried.

Representative Everhart moved that HB 2060 be recommended favorably for passage as amended. Representative Shore seconded the motion. The motion carried.

Chairman Dillon suggested that Ray Petty might want to have the provisions of his amendment incorporated into a separate bill.

Representative Freeman moved that HB 2043 be amended on Page 2 Line 16 to read, "This act shall take effect and be in force from and after its publication in the Kansas Register". Representative Everhart seconded the motion. Motion carried.

Representative Delbert Gross moved that HB 2043 be recommended favorably for passage as amended. Representative Everhart seconded the motion. Motion carried to pass as amended.

Meeting adjourned at 2:00 P.M.

GUEST LIST

COMMITTEE: HOUSE TRANSPORTATION COMMITTEE

DATE: 2-12-91

| NAME (PLEASE PRINT) | ADDRESS | COMPANY/ORGANIZATION |
|---------------------|--|-------------------------|
| LISIECKI JOSEPH | P.O. 338 Enterprise Ks | P.H.S.A. |
| GLADYS JONES | P.O. 338 ENTERPRISE Ks | |
| Jim KENNEDY | 2951 N. ⁶⁶¹⁰⁴ HORTON KOK | PHSA |
| RALPH N. GARRINGER | 4520 state ave H.C. K. 66102 | PHSA |
| BERNICE APPELEGATE | 318 CHARLES HUTCHINSON, Ks. 67501 | |
| LEO APPELEGATE | 318 CHARLES HUTCHINSON, KA. 67501 | PHSA |
| Vera Wheeler | Rt. 3 Box 18 Waverly, Ks 66871 | PHSA Wife |
| Virginia M. Whitman | Box 217 Bennington, Ks. | also a survivor Wife |
| DOROTHY LYBARGER | 6057 E. LINCOLN WICHITA, KS. 67218 | PHSA WIFE |
| ROZELLA SCHAEFFER | 365 E. SECOND ASSARIA, KS 67416 | PHSA WIFE |
| EARL M. SCHAEFFER | 365 E. 2ND ASSARIA, KS. 67416 | PHSA |
| JOHN R HUGHES | 318 MCCABE WINFIELD, KS. 67456 | PHSA |
| RICHARD E. WILLIAMS | 10521 PALENTINE O.P. Ks. 66214 | PHSA |
| A. D. McLaughlin | 5700 S. Seneca Wichita, Ks. 67212 | PHSA |
| CH. FF P. H.S. | OVERLAND PARK, Ks 1003 + West 86th | PHSA |
| W. R. LYBARGER | 6057 E. LINCOLN WICHITA, KAN. 67218 | PHSA |
| Nancy Grman | RRPI | Fall River Ki |
| Katie Dill | 417 N. Chautauqua Sedan, Ks | Close Up Kansas |
| Kathlynn Thomas | 217 W. Bradley Sedan, Ks | Close-Up Kansas |
| J Stanley Levitt | 5204 W 121 ST OVERLAND PARK Ks | PHSA |
| JAMES H. GEITZ | 1555 2nd Ave East HORTON, Ks 66439 | PHSA |
| Glenn A. Thompson | 1940 Meadowlark Topeka, Ks 66604 | PHSA |
| Leslie V. Short | 6115 S. 143 rd E Derby, Ks 67037 | PHSA |
| Bill Widener | 67 So. BETHANY RC Ks 66102 | PHSA |
| William H. Tucker | 5434 BIRCH 66205 SHAWNEE MISSION Ks | PHSA |

GUEST LIST

COMMITTEE: HOUSE TRANSPORTATION COMMITTEE

DATE: 2-12-91

| NAME (PLEASE PRINT) | ADDRESS | COMPANY/ORGANIZATION |
|------------------------|---|--------------------------|
| Chas. Sorenson | RR 2 Box 127 Hwy 77 KS | PHSA |
| Ray COZAD | 4100 W 97th St Overland Park, MO 66207 | ✓ |
| HAROLD HALL | 7312 W. 89th St Overland Park KS | PHSA |
| Bob Wheeler | RR Box 18 Waverly, KS | PHSA |
| Rick Scheibe | Topeka | Dept of Revenue |
| Steve Deske | Topeka | KDOR |
| Brooke Wheeler | Wyness | Close-up KS |
| Jimie Farrell | Wyness | Close-up KS |
| Eth Sullivan | Wyness | Close-up Kansas |
| D.R. Cecil | Wyness | Close-up Kansas |
| Richard Chapman | Ed. Chisholm | PHSA |
| June W. Worthington | Topeka, KS | PHSA Photographer |
| JENNIFER STARK | COUNCIL GROVE KS | PHSA. |
| William A. Tutwiler | Bonnington KS | PHSA. |
| JOE FURJANIC | TOPEKA | KCA |
| George Nambo | 264 Somerset Wichita KS | Pearl Harbor's Survivors |
| Joe + Beth Nambo | 1740 Ellis Wichita KS | Pearl Harbor's Survivors |
| Beth W. Emel | 315 E. 10th Topeka 66608 | PHSA |
| Harry Holmquist | 504 Clark Dr Overland Park, MO 66205 | PHSA |
| Harriet (Kate) Monahan | 1121 Tenny KEK | PHSA |
| D. H. Anderson | 619 Willow Overland Park, KS | PHSA. |
| Tom Whitaker | Topeka | Ks Motor Council |
| Mary M. Hall | 7312 W. 89th Overland Park, MO | PHSA |
| Matt Walker | 11000 KS 5780 HI | Close-up KS |
| Derek Dyl | 315 N. Court Wyness, KS 67870 | Close-up KS |

DONALD SPITZENGEL
ALLOW ME TO INTRODUCE MYSELF...I AM/A PAST 6 YEAR KANSAS
STATE CHAIRMAN... A PAST CHAPTER VICE PRESIDENT, A PAST
CHAPTER PRESIDENT, AND/^{AT}PRESENT THE 3RD DISTRICT DIRECTOR
FOR THE STATES OF UTAH, ARIZONA, COLORADO, NEW MEXICO, OK-
LAHOMA, NEBRASKA AND KANSAS.
I HAVE BEEN DESIGNATED SPOKESMAN FOR THE GROUP BY THE
CURRENT KANSAS STATE CHAIRMAN, CHARLES S. SENSEMAN.

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ATTACHMENT 1-1

MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES TRANSPORTATION AND UTILITIES COMMITTEES.

I AM HONORED AND PRIVILEGED TO APPEAR BEFORE YOU IN THE COMPANY OF THE COMBINED MEMBERSHIP OF THE TWO CHAPTERS OF THE STATE OF KANSAS. THE PEARL HARBOR SURVIVOR ASSOCIATION IN OUR GREAT STATE OF KANSAS NUMBER 125. PLEASE TAKE NOTE OF THE NUMBER OF SURVIVORS APPEARING HERE TODAY, APPROXIMATELY ONE THIRD OF THE STATE MEMBERSHIP. THE IMPORTANCE OF THIS BILL BECOMES OBVIOUS. DECEMBER 7, 1941 A MESSAGE WAS SENT TO THE MAINLAND, AIR RAID PEARL HARBOR, THIS IS NO DRILL...IN THE ONE HOUR AND FIFTY MINUTES THAT FOLLOED THE U.S. ARMED FORCES SUFFERED, 2,403 DEAD, 1,178 WOUNDED, CIVILIAN LOSSES WERE 67 KILLED. BATTLESHIPS LOST 2, DAMAGED 6, CRUISERS DAMAGED 3, MINELAYER DAMAGED 1, BATTLESHIP TARGET VESSEL, LOST 1, DESTROYERS DAMAGED 4, AUXILIARIES DAMAGED 2.

WITH THE WEAPON SYSTEMS OF TODAY ONE CANNOT IMAGINE THE ENORMOUS LOSSES THAT WOULD BE SUFFERED IN THE SAME MANNER OF ATTACK. DECEMBER 7, 1941 WE WERE A NATION AT PEACE, ALL ENSUING ACTION AFTER THAT DATE WERE ON A WAR ALERT FOOTING. IN REMEMBERING OUR LOSSES LET US EXAMINE THE WORLD AT WAR IN 1939, THE U. S. SUPPORTED AND SUPPLIED WEAPONS, MATERIAL AND EQUIPMENT OF WAR INCLUDING 50 DESTROYERS. I POINT OUT THESE ITEMS FOR CLEARLY WE OF THE U.S. ARMED FORCES WERE BEING SHORT CHANGED IN ALL CATAGORIES OF THE PREVIOUSLY LISTED ITEMS. WE HAD NO KNOWLEDGE OF 20 MM, 40 MM, GUNS, RADAR WAS AN UNKNOWN, HEDGEHOGS AND THE PROXIMITY FUSE AN ADDITIONAL UNKNOWN. ALL OF THE PRECEDING ARTICLES OF WAR WERE SENT TO OUR FRIENDS, ALLIES, AND TO FRIENDLY NATIONS OR THREATENED NATIONS, ENGLAND, FREE FRANCE, AUSTRALIA, NEW ZEALAND, INDIA,

BURMA, CHINA, TO THE DUTCH IN THE EAST INDIES. IN CONTRAST OUR EQUIPMENT IN 1941 WAS OBSOLETE, INADEQUATE & SPARINGLY DISTRIBUTED, THUS CONTRIBUTING TO OUR LOSSES.

THIS NATION HAS MADE GREAT STRIDES IN FORGING OUR ARMED FORCES INTO A FIRST CLASS PREPAREDNESS, READINESS STANCE, IT COMES AT GREAT COST TO THE PEOPLE OF THIS NATION TO BE SO PREPARED, CAN WE AFFORD TO BE A LESSER POWER? WE CANNOT AND WILL NOT FORGET OUR VETERANS. PEARL HARBOR---THE MEN WHO DIED THERE BOUGHT WITH THEIR LIVES A LESSON FOR AMERICANS THAT SHOULD LAST FOREVER.

WE OF THE PEARL HARBOR SURVIVORS HAVE APPEARED BEFORE MANY GROUPS, ELEMENTARY, JR. & SR. HIGH SCHOOLS, VETERAN & FRATERNAL ORGANIZATIONS IN OUR CONTINUING EFFORTS TO ALERT THE PRESENT GENERATIONS^{TO} THE PERILS OF UNPREPAREDNESS.

WE ASK THOSE PRESENT TO REMEMBER THE ADDRESS OF FRANKLIN DELANO ROOSEVELT BEFORE CONGRESS AND TO THE NATION, SUNDAY, DECEMBER 7, 1941 WILL BE REMEMBERED AS "A DAY OF INFAMY".

THE PEARL HARBOR LICENSE PLATES WILL BE A POWERFUL TOOL TO ENABLE US TO KEEP THE PEARL HARBOR MOTTO "REMEMBER PEARL HARBOR" KEEP AMERICA ALERT...BEFORE THE CITIZENS OF KANSAS.

WE LOOK FORWARD TO JOINING THE 35 OTHER STATES THAT HAVE HONORED THE PEARL HARBOR SURVIVORS WITH THESE SPECIAL LICENSE PLATES.

WE WISH TO THANK YOU FOR YOUR ATTENTION, YOUR INTEREST AND YOUR SUPPORT FOR THE ENACTMENT OF THIS BILL.

I am Robert Wheeler from Waverly, Kansas, in Coffey County. I served with the 8th F.A., 25th Div. at Schofield Barracks in Hawaii and through 5 years of war in the Pacific. Enroute to our defensive position on Dec. 7, I still have the sight of all those ships burning and destroyed embedded in my memory.

Since retiring, my wife and I have traveled to many parts of our country and are almost always asked about the meaning of a sign on our car and then are asked more about Pearl Harbor. Car tags will offer many opportunities to relate these events that are such an important part of our history.

As the Vice President and Chaplain of the Metro Chapter of Pearl Harbor survivors I am sure that I speak for all of them when I say that we would all be proud and happy if we were given the opportunity to display a Pearl Harbor survivors tag and join those of the approximately 30 states who have already honored their survivors. I certainly hope that you will see fit to pass House Bill 2043 giving us this privilege.

My wife says that one of the most heart-rending sights she has ever seen is a room full of aging, bald or white haired men whose shoulders snap back, stand taller, and with tears running down their faces honor their flag as it goes by. These men deserve to be honored.

Thank you.

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Be amended:

On page 1, after line 12, by inserting the following section:

"Section 1. K.S.A. 1990 Supp. 8-161 is hereby amended to read as follows: 8-161. (a) Any disabled veteran as defined in K.S.A. 8-160 and amendments thereto who resides in Kansas and who makes application to the director of vehicles on a form furnished by the director for registration of a motor vehicle that is a passenger vehicle or a truck with a gross weight of not more than 12,000 pounds and is owned and used by such veteran may have such motor vehicle registered, and the director shall issue a distinctive license plate for it. Such license plate shall be issued for the same period of time as other license plates are issued. Such registration shall be made and such license plates issued free of charge to the disabled veteran. The director of vehicles shall also issue to the disabled veteran an individual identification card which must be carried by the disabled veteran when the motor vehicle being operated by the disabled veteran or used for the transportation of such disabled veteran is parked in a designated handicapped accessible parking space.

(b) Any Kansas resident who owns a motor vehicle and who is responsible for the transportation of a disabled veteran or any resident disabled veteran desiring a distinctive license plate for a vehicle other than a motor vehicle owned by the veteran may make application to the director of vehicles for such a license plate. Such license plate shall be issued for the same period of time as other license plates are issued. There shall be no fee for such license plates in addition to the regular registration fee.

(c) The director of vehicles shall design a special license plate to be issued as provided in this act. No registration or license plates issued under this act shall be transferable to any other person. No registration under this act shall be made until

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the applicant has filed with the director acceptable proof that the applicant is a disabled veteran as defined by K.S.A. 8-160, and amendments thereto, or is responsible for the transportation of such veteran. Motor vehicles displaying the distinctive license plates provided for in this act shall be permitted to park in any parking space on public or private property which is clearly marked as being reserved for the use of handicapped persons with a disability or persons responsible for the transportation of a handicapped person with a disability, except a parking space on private property which is clearly marked as being reserved for the use of a specified handicapped person with a disability, or park without charge in any metered zone and shall be exempt from any time limitation imposed on parking in any zone designated for parking, during the hours in which parking is permitted in any city.

Any person who willfully and falsely represents that such person has the qualifications to obtain the distinctive license plates provided for by this section, or who falsely utilizes the parking privilege accorded by this section, shall be guilty of an unclassified misdemeanor punishable by a fine of not more than \$250.";

Also on page 1, in line 15, by striking "'Handicapped person'" and inserting "'Person with a disability'"; in line 22, by striking "(2) osteopathic medicine and"; in line 23, by striking "surgery, or (3)" and inserting "or (2)"; by striking all in line 24 and inserting the following sections:

"Sec. 3. K.S.A. 1990 Supp. 8-1,125 is hereby amended to read as follows: 8-1,125. (a) Any Kansas resident who submits satisfactory proof to the director of vehicles, on a form provided by the director, that such person is a handicapped person with a disability or is responsible for the transportation of a handicapped person with a disability shall be issued a special license plate or a permanent placard for any motor vehicle owned by such person or shall be issued a temporary placard. Satisfactory proof of disability, condition or

impairment shall include a statement from a physician or a Christian Science practitioner listed in The Christian Science Journal certifying that such person is a handicapped person with a disability. The placard shall be suspended immediately below the rear view mirror of any motor vehicle used for the transportation of a handicapped person with a disability so as to be maximally visible from outside the vehicle. In addition to the special license plate or permanent placard, the director of vehicles shall issue to the handicapped person with a disability an individual identification card which must be carried by the handicapped person with a disability when the motor vehicle being operated by or used for the transportation of such handicapped person is parked in accordance with the provisions of K.S.A. 1987 1990 Supp. 8-1,126, and amendments thereto. A person submitting satisfactory proof that such person's disability, condition or impairment is permanent in nature, and upon such person's request and payment of the fees prescribed in subsections (b) and (c), shall be issued both a special license plate and a permanent placard and an individual identification card. The special license plates and placards shall display the international symbol of access to the physically handicapped disabled.

(b) Special license plates issued pursuant to this section shall be issued for the same period of time as other license plates are issued or for the remainder of such period if an existing license plate is to be exchanged for the special license plate. There shall be no fee for such special license plates in addition to the regular registration fee. No person shall be issued more than one special license plate, except that agencies or businesses which provide transportation for handicapped persons with a disability as a service, may obtain additional special license plates for vehicles which are utilized in the provision of that service. Special license plates may be personalized license plates subject to the provisions of K.S.A. 8-132, and amendments thereto, including the payment of the additional fee.

(c) Except as otherwise provided in this section, placards and individual identification cards issued pursuant to this section shall be issued for such period of time as the person to whom issued continues to be a handicapped person with a disability or a person responsible for the transportation of a handicapped person with a disability, except that the secretary of revenue shall make a determination of continued eligibility for a special license plate or placard at least every three years from the original date of issuance of such license plate and placard. The secretary of revenue may adopt rules and regulations prescribing a fee for placards and individual identification cards issued pursuant to this section, however, such fee shall not exceed the actual cost of issuance thereof.

(d) On and after July 1, 1989, and every three years thereafter, the secretary of revenue shall change the color of placards and identification cards issued under this section. After the effective date of this act, permanent placards and any individual identification cards issued under this section shall be reissued every three years from the original date of issuance of such placards and individual identification cards.

(e) Permanent placards and individual identification cards shall be returned to the department of revenue upon the death of the handicapped person with a disability. Temporary placards shall be returned to the department of revenue upon the expiration of the placard or upon the death of the handicapped person with a disability. Special license plates shall be returned to the county treasurer to be exchanged for another license plate upon the death of the handicapped person with a disability.

Sec. 4. K.S.A. 1990 Supp. 8-1,126 is hereby amended to read as follows: 8-1,126. When a motor vehicle which bears a special license plate or placard issued pursuant to K.S.A. ~~1986~~ 1990 Supp. 8-1,125, and amendments thereto, is being operated by or used for the transportation of a handicapped person with a disability, such motor vehicle:

(a) May be parked in any parking space, whether on public or private property, which is clearly marked as being reserved for the use of handicapped persons with a disability or persons responsible for the transportation of a handicapped person with a disability, except a parking space on private property which is clearly marked as being reserved for the use of a specified handicapped person with a disability;

(b) may be parked for an unlimited period in any parking zone which is restricted as to the length of parking time permitted, except where stopping, standing or parking is prohibited to all vehicles, where parking is reserved for special types of vehicles or where parking would clearly present a traffic hazard; and

(c) shall be exempt from any parking meter fees of the state or any city, county or other political subdivision.

Sec. 5. K.S.A. 1990 Supp. 8-1,127 is hereby amended to read as follows: 8-1,127. Official handicapped identification devices issued to persons with a disability by any other state, district, or territory subject to the laws of the United States, or any foreign jurisdiction, shall be recognized as acceptable identification in the state of Kansas. Motor vehicles bearing a valid device from such a jurisdiction shall be accorded the parking privileges contained in K.S.A. ~~1986~~ 1990 Supp. 8-1,126, and amendments thereto.

Sec. 6. K.S.A. 1990 Supp. 8-1,128 is hereby amended to read as follows: 8-1,128. (a) Notwithstanding the provisions of K.S.A. 8-2003, and amendments thereto, all designated handicapped accessible parking spaces shall be clearly marked by vertically mounted signs bearing the international symbol of access. Such signs shall be displayed with the bottom of the sign not less than 32 inches above the surface of the roadway.

(b) As of January 1, 1987, any owner of private property available for public use establishing a new parking space ~~for the~~ handicapped or relocating an existing parking space for the handicapped persons with a disability, shall conform to section

4.6.3 of ANSI 117.1-1980, a published standard for specifications for making buildings and facilities accessible to and usable by physically handicapped people, which is available from the American national standards institute, 1430 Broadway, New York, N.Y. 10018.

Sec. 7. K.S.A. 1990 Supp. 8-1,129 is hereby amended to read as follows: 8-1,129. (a) Except when necessary to avoid conflict with other traffic, or in compliance with the law or the directions of a law enforcement officer or official traffic-control device, no person shall:

(1) Stop, stand or park a vehicle in any parking space designated as handicapped accessible parking without having a special license plate, permanent placard or disabled veteran license plate and an individual identification card, or a valid temporary placard; or

(2) stop, stand or park a vehicle so that it blocks an access ramp adjacent to a designated handicapped accessible parking space.

(b) Violation of subsection (a) is an unclassified misdemeanor punishable by a fine of not more than \$50.

(c) The provisions of subsection (a) shall be enforced by law enforcement officers on public and private property.

Sec. 8. K.S.A. 1990 Supp. 8-1,130a is hereby amended to read as follows: 8-1,130a. (a) Any person who utilizes any handicapped accessible parking identification device which has been revoked or suspended by the secretary of revenue pursuant to subsection (c) of K.S.A. ~~1987~~ 1990 Supp. 8-1,125, and amendments thereto, or K.S.A. ~~1988~~ 1990 Supp. 8-1,130b, and amendments thereto, shall be guilty of an unclassified misdemeanor punishable by a fine not to exceed \$100.

(b) Any person who utilizes any handicapped accessible parking identification device issued to another person, an agency or a business, to park in any designated handicapped accessible parking space, except when transporting or arriving to transport a handicapped person with a disability to whom or for whom the

identification device was issued shall be guilty of an unclassified misdemeanor punishable by a fine not to exceed \$100.

Sec. 9. K.S.A. 1990 Supp. 8-1,130b is hereby amended to read as follows: 8-1,130b. (a) The secretary of revenue shall revoke, in accordance with rules and regulations adopted pursuant to subsection (c), any ~~handicapped~~ accessible parking identification device of any person who is convicted under the provisions of K.S.A. ~~1987~~ 1990 Supp. 8-1,130, and amendments thereto.

(b) The secretary of revenue shall suspend or revoke, in accordance with rules and regulations adopted pursuant to subsection (c), ~~a--handicapped~~ an accessible parking identification device, when the person, agency or business to which ~~a-handicapped~~ an accessible parking identification device is issued, authorizes the use of such device or the use of a vehicle displaying such device to a person not authorized by law to use such device and such unauthorized person is convicted under subsection (b) of K.S.A. ~~1988~~ 1990 Supp. 8-1,130a, and amendments thereto.

(c) The secretary of revenue shall adopt rules and regulations prescribing procedures for the reissuance, suspension and revocation of ~~handicapped~~ accessible parking privileges including the issuance or orders to return ~~handicapped~~ accessible parking identification devices, notification of law enforcement agencies and personnel with regard to the validity or invalidity of any ~~handicapped~~ accessible parking identification devices and revocation of ~~handicapped~~ accessible parking identification devices.

Sec. 10. K.S.A. 1990 Supp. 8-1,133 is hereby amended to read as follows: 8-1,133. Every dealer engaged in the retail sale of motor-vehicle fuels at any service station providing facilities for both self-service and full-service sales shall require any attendant whose duties include the dispensing of motor-vehicle fuels at full-service facilities to dispense motor-vehicle fuels into any motor vehicle parked at a self-service facility which displays a license plate issued to a disabled veteran pursuant to

K.S.A. ~~1986~~ 1990 Supp. 8-161, and amendments thereto, or a license plate or placard issued to a handicapped person with a disability pursuant to K.S.A. ~~1986~~ 1990 Supp. 8-1,125, and amendments thereto, and such disabled veteran or handicapped person with a disability operating such motor vehicle is not accompanied by a person capable of dispensing motor-vehicle fuels. The price charged for such motor-vehicle fuel shall be the price charged the general public for motor-vehicle fuels dispensed at such self-service facility. Such service shall be provided only during hours in which full-service sales are offered to the general public and such attendant shall not be required to perform other services which are offered only at full-service facilities.

Sec. 11. K.S.A. 1990 Supp. 32-901 is hereby amended to read as follows: 32-901. (a) Except as otherwise provided by law or rules and regulations of the secretary, a valid park and recreation motor vehicle permit is required to use a motor vehicle in any state park, or any portion thereof, or in any other area designated by the secretary pursuant to subsection (f), which is posted in accordance with subsection (g).

(b) (1) The secretary shall issue annual and temporary park and recreation motor vehicle permits.

(2) The annual permit shall be issued to certificate of titleholders for each calendar year as provided in K.S.A. ~~1989~~ 1990 Supp. 32-983, 32-984 and 32-985, and amendments thereto, and shall not be transferable. An additional vehicle permit may be issued to the owner of an original annual permit. The fee for an annual permit and the fee for an additional vehicle permit shall be fixed by the secretary by rules and regulations adopted in accordance with K.S.A. ~~1989~~ 1990 Supp. 32-805, and amendments thereto. A duplicate permit may be issued upon proof of loss of the original permit for the remainder of the calendar year for a fee fixed by the secretary by rules and regulations adopted in accordance with K.S.A. ~~1989~~ 1990 Supp. 32-805, and amendments thereto. If the motor vehicle for which an annual permit has been

issued is sold or traded during the calendar year for which the permit was issued and the original permit is surrendered to the department, a new permit effective for the remainder of the calendar year may be issued to the person who sold or traded the motor vehicle for a fee fixed by the secretary by rules and regulations adopted in accordance with K.S.A. ~~1989~~ 1990 Supp. 32-805, and amendments thereto. Before any duplicate or new permit is issued, the purchaser thereof must show by evidence that the purchaser was issued the original permit and that the purchaser is the holder of a valid certificate of title to the motor vehicle for which the duplicate or new permit is issued.

(3) A temporary permit shall be issued for a day, shall be issued for a specific vehicle and shall not be transferable. The fee for such a temporary permit shall be fixed by the secretary by rules and regulations adopted in accordance with K.S.A. ~~1989~~ 1990 Supp. 32-805, and amendments thereto.

(c) The provisions of subsection (a) do not apply to:

(1) A motor vehicle of any Kansas resident certificate of titleholder who is 65 or more years of age or who is ~~handicapped~~ a person with a disability and displays a special license plate or placard issued pursuant to K.S.A. ~~1989~~ 1990 Supp. 8-1,125, and amendments thereto, and any such certificate of titleholder may request a special permit or pass which shall be issued by the department to such titleholder;

(2) a motor vehicle used in the operation or maintenance of state parks or other areas under the secretary's control, emergency motor vehicles, state-owned motor vehicles, law enforcement motor vehicles or private or government motor vehicles being operated on official business for a governmental agency;

(3) a motor vehicle of a nonresident who secures a special fee, license or permit required by rules and regulations adopted by the secretary in accordance with K.S.A. ~~1989~~ 1990 Supp. 32-805, and amendments thereto, relating to the use of the park or other area;

(4) a motor vehicle for which a special permit or pass has been issued pursuant to subsection (d);

(5) a motor vehicle in a state park or other area to which subsection (d) applies on dates designated pursuant to subsection (e); or

(6) a motor vehicle in an area or at a time not designated pursuant to subsection (f) as an area or time which requires a permit.

(d) The secretary may issue a special permit or pass for a motor vehicle used for the purpose of sightseeing, attending a church service, attending an approved special event by members of the news media or emergency reasons, as provided by rules and regulations adopted by the secretary in accordance with K.S.A. ~~1989~~ 1990 Supp. 32-805, and amendments thereto.

(e) The secretary may designate by resolution two days each calendar year during which persons may use motor vehicles in state parks and other areas under the secretary's control without having a valid park and recreation motor vehicle permit.

(f) The secretary shall designate the state parks and other areas under the secretary's control, or portions thereof, and the time periods in which motor vehicle permits shall be required hereunder.

The secretary shall cause signs to be posted and maintained at the entrances to all such designated state parks or other areas, or portions thereof, which signs shall display a legend that a motor vehicle entering and using the state park or area, or portion thereof, is required to display on the motor vehicle a permit of the type described in this section.

(g) All fees, licenses and other charges, and rules and regulations relating to the use of and conduct of persons in a state park or other area under the secretary's control, or any facility therein, shall be posted in a convenient and conspicuous place in each such park, area or facility. Except as otherwise provided in this section, each and every person using any such park, area or facility shall be charged the same fees, licenses

and every other charge.

Sec. 12. K.S.A. 58-1311 is hereby amended to read as follows: 58-1311. From and after January 1, 1979, every building or facility which is used by or open to the public and which was constructed in whole or in part by moneys appropriated by the state or any political or taxing subdivision thereof shall be provided with at least one parking space, easily accessible to such building, which is clearly marked as being reserved for handicapped persons with a disability or persons responsible for the transportation of a handicapped person with a disability.

Sec. 13. K.S.A. 58-1311 and K.S.A. 1990 Supp. 8-161, 8-1,124, 8-1,125, 8-1,126, 8-1,127, 8-1,128, 8-1,129, 8-1,130a, 8-1,130b, 8-1,133 and 32-901 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 8, by striking "handicapped" and inserting "accessible"; in line 9, after "amending" by inserting "K.S.A. 58-1311 and"; also in line 9, after "Supp." by inserting "8-161,"; also in line 9, after "8-1,124" by inserting ", 8-1,125, 8-1,126, 8-1,127, 8-1,128, 8-1,129, 8-1,130a, 8-1,130b, 8-1,133 and 32-901"; in line 10, by striking "section" and inserting "sections";

And the bill be passed as amended.