

Approved 3-19-91
Date

MINUTES OF THE House COMMITTEE ON Transportation

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

~~1:34XX~~ p.m. on March 6, 1991 in room 519-S of the Capitol.

All members were present ~~xxxx~~.

Committee staff present:

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

Conferees appearing before the committee:

Lt. Bill Jacobs - Kansas Highway Patrol
Frances Kastner - Director of Governmental Affairs for the Kansas Food
Dealers Association
Mary Ladesic - Wyandotte County Treasurer
Melanie S. Jack - Assistant Attorney General, Kansas Bureau of Investigation
Joe Dick - Director of Vehicles

Chairman Dillon called the meeting to order.

HB 2406 - Regulating traffic, concerning spot inspections.

Chairman Dillon introduced Lt. Bill Jacobs who testified in support of
HB 2406. (Attachment 1)

Questions and discussion followed.

Hearing ended on HB 2406.

HB 2412 - Concerning license plates.

Chairman Dillon introduced Lt. Bill Jacobs who testified in support of
HB 2412. (Attachment 2)

Questions and discussion followed.

Chairman Dillon introduced Frances Kastner who testified in support of
HB 2412. (Attachment 3)

Questions and discussion followed.

Representative Shore asked if they would also like County name or County
designation in bigger letters on tags. She responded, "certainly anything
would help so they could be easily identified."

Chairman Dillon introduced Mary Ladesic who testified in opposition of
HB 2412. (Attachment 4)

Chairman Dillon introduced Melanie S. Jack who testified in support of
HB 2412. (Attachment 5)

Representative Freeman asked if Nebraska had County designations by number
so County can be identified. He asked is that a help for Law Enforcement
in Nebraska? Melanie replied, "yes it is".

Joe Dick, Director of Vehicles provided written testimony in support of
HB 2412. (Attachment 6)

Sheriff Ed E. Ritchie provided written testimony in support of HB 2412.
(Attachment 7)

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,

Room 519-S, Statehouse, at 1:34 XX a.m./p.m. on March 6, 1991

Hearing ended on HB 2412.

Chairman Dillon introduced Joe Dick, Director of Vehicles, who provided information on HB 2483, (Attachment 8), which had been tabled March 5, 1991.

Questions and discussion followed.

Chairman Dillon asked if anyone would like to remove HB 2483 from the table.

Representative Gross moved to remove HB 2483 from the table. Representative Everhart seconded. Motion carried.

Discussion followed.

Representative Gross moved to table HB 2483 until time certain March 18, 1991. Representative Shore seconded. Motion carried.

HB 2483 retabled.

Meeting adjourned at 2:25.

SUMMARY OF TESTIMONY

Before the House Transportation Committee

House Bill 2406

Presented by the Kansas Highway Patrol

(Lieutenant William A. Jacobs)

March 6, 1991

The Patrol strongly supports House Bill 2406.

The Patrol requested this bill to clean-up statute 8-1759 and 8-1759a.

The language that is suggested for removal applied to the Motor Vehicle Inspection program that was abolished in 1984 and does not apply to spot inspections that are now performed by the Patrol.

The amendments do not change the law as it is applied since 1984.

The Patrol therefore asks for your favorable support of House Bill 2406.

House Transportation
3-6-91
ATTACHMENT 1-1

SUMMARY OF TESTIMONY

Before the House Transportation Committee

House Bill 2412

Presented by the Kansas Highway Patrol

(Lieutenant William A. Jacobs)

March 6, 1991

The Patrol strongly supports House Bill 2412.

As a law enforcement agency we have a vested interest both from a practical and safety standpoint.

Considering the primary purpose of license plates, to afford identification of the vehicle and registered owner and to assure compliance with the registration laws, our mission would be greatly enhanced through a two-plate application.

It is generally recognized that a patrol officer will have the opportunity to read three front plates, when available, to every rear plate. Obviously, the proposed application would afford more ready identification of traffic units both for officers and the cooperating public.

Our major concern in this regard is officer safety. With the ability to read a front plate an officer can effect identification and have the opportunity for radio contact with a base point or other officers, as well as, prepare themself mentally and physically prior to stopping the vehicle, particularly on felony or high risk stops. Conversely, when the officer must pull behind the vehicle to effect the identification, time becomes a critical factor in preparing for the stop which may well be immediate.

Additionally, this ability would eliminate the need for many dangerous turn-arounds on busy highways to identify a vehicle where only a rear plate is available and identification rests on that factor alone.

The legislature, in recent years, has greatly assisted our efforts through adoption of the reflectorized license plate and the SAM-123 numbering system. We again request your support in further improving the system through favorable consideration of this bill.

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- I. License Plates are the most important tool in law enforcement, especially in the more important areas of concern which include general and/or street crime control, traffic enforcement and control and narcotics enforcement and control.

- II. License Plates, in addition, contribute to police officer safety in overall operations and to overall public safety.

- III. Why law enforcement people want two plates:
 1. The need to make positive vehicle I.D.
 2. Two plates give opportunity for vehicle I.D. coming and going.
 3. Two plates make job safer when approaching suspect car.
 4. Officers often make arrests based upon reading the front plate on oncoming vehicle.
 5. Working police officer sees three front plates on approaching traffic to every one rear plate.
 6. Citizen involvement in crime control would be enhanced with front and rear plate.
 7. Often, the only reflective device on the front of a car is license plate.
 8. Approaching "one-eyed" car - front, reflective plate identifies an approaching car - relative to your position.
 9. Back in parking - front plate essential for vehicle I.D. during routine checks or when a crime is being committed.



EXECUTIVE DIRECTOR
JIM SHEEHAN
Shawnee Mission

March 6, 1991

OFFICERS

HOUSE TRANSPORTATION COMMITTEE

PRESIDENT
J. R. WAYMIRE
Leavenworth

SUPPORTING HB 2412

1st VICE-PRESIDENT
SKIP KLEIER
Carbondale

I am Frances Kastner, Director of Governmental Affairs for the Kansas Food Dealers Association. Our membership includes manufacturers, distributors and retailers of food products throughout Kansas.

2nd VICE-PRESIDENT
TREASURER
MIKE BRAXMEYER
Atwood

ASST. TREASURER
JOHN CUNNINGHAM
Shawnee Mission

We have always been in favor of having front and back license plates on vehicles. Many of our members also offer motor fuel for sale and it would be a great benefit for the cashier to be able to see the license plate from inside the place of business.

BOARD OF DIRECTORS

CHAIRMAN
MIKE DONELAN
Colby

STEVE ASHTON
Salina

DONALD CALL
Cedar Vale

GLEN CATLIN
Herington

If a customer pulls up to a fuel pump with the back of the vehicle out of view of the cashier it is difficult for the operator to see the license plate number to report a "drive-off". Police officers will NOT attempt to locate a person guilty of fuel theft if there is not a license number filed with the report.

DUANE CROSIER
Seneca

TOM FLOERSCH
Fredonia

ROY FRIESEN
Syracuse

In this time of increased costs for all goods we feel it imperative that the honest consumers should not be faced with paying for theft of any sort -- whether that is in goods, services or cash received when cashing checks.

ARNIE GRAHAM
Emporia

STAN HAYES
Manhattan

We hope that passage of a bill to require two license plates on vehicles will be one more tool available to our members to lower their cost of doing business.

CHUCK MALLORY
Topeka

Thank you for the opportunity of presenting our views on this matter and we request your favorable consideration of HB 2412.

JOHN McKEEVER
Louisburg

LEONARD MCKINZIE
Overland Park

BILL REUST
Parsons

BILL WEST
Abilene

JOE WHITE
Kingman

DIRECTOR OF
GOVERNMENTAL AFFAIRS

FRANCES KASTNER

Frances Kastner
Frances Kastner, Director
Governmental Affairs, KFDA

*House Transportation
3-6-91
ATTACHMENT 3-1*

TO: HOUSE TRANSPORTATION COMMITTEE
FROM: MARY P. LADESIC, WYANDOTTE COUNTY TREASURER
DATE: MARCH 6, 1991
RE: HOUSE BILL NO. 2412

MR. CHAIRMAN AND HONORABLE MEMBERS OF THIS COMMITTEE;
MY NAME IS MARY P. LADESIC AND I AM THE COUNTY TREASURER OF WYANDOTTE
COUNTY. I AM HERE IN OPPOSITION TO HOUSE BILL 2412 AS I HAVE BEEN
NUMEROUS TIMES IN THE LAST TEN YEARS.

ALTHOUGH I FEEL THE TWO TAGS THIS BILL PROVIDES FOR, HAS SOME MERIT
IN ASSISTANCE IN LAW ENFORCEMENT NEVERTHELESS, THE BAD FAR OUTWEIGHS
THE GOOD.

IN 1976, THE STATE OF KANSAS ISSUED TWO TAGS TO ITS CONSTITUENTS.
AFTER JUST THREE MONTHS, THEY WERE DISCONTINUED. I AM NOT SURE
OF THE REASON, BUT LOCAL OFFICES HAD A THREE TO SIX MONTH SUPPLY
ON HAND.

I WOULD LIKE TO ENUMERATE A FEW PROBLEMS ASSOCIATED WITH THE TWO
TAGS: SPEAKING FROM A COUNTY TREASURER'S VIEW POINT, THE INITIAL
PROBLEMS THAT COME TO MIND WOULD HAVE TO BE A SHORTAGE IN POSTAGE
AND THE STORING OF MORE PLATES. IN REGARDS TO THE POSTAGE, IT
CURRENTLY COSTS \$2.13 TO MAIL TWO PLATES. STATUTE PROVIDES FOR
MOTOR VEHICLE DEPARTMENT TO CHARGE 50¢ ON EACH REGISTRATION REQUESTED
BY MAIL.

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(2)

AS YOU CAN SEE A LARGE DEFICIT OCCURS. IN WYANDOTTE COUNTY WHERE WE DO APPROXIMATELY 50,000 MAIL APPLICATIONS THIS WOULD AMOUNT TO A SHORT FALL OF \$81,500.00 WHICH WOULD BE DEVASTATING TO OUR LOCAL OFFICE. STORAGE IS A PROBLEM IN THE MAJORITY OF COURTHOUSES ACROSS THE STATE, AND WYANDOTTE COUNTY IS NO EXCEPTION. SPACE IS A PRECIOUS COMMODITY.

HOUSE BILL 2412 WHICH PROVIDES FOR TWO TAGS ALSO INCREASES THE OPPORTUNITY FOR FRAUD. WE HAVE EXPERIENCED SITUATIONS WHEREIN TAGS BELONGING ON ONE CAR ARE SEPARATED AND USED FOR TWO VEHICLES, THUS ALLOWING THE TAXPAYER TO ESCAPE PAYING TAXES ON THE SECOND AUTO UNTIL DISCOVERED. THIS ALSO CAUSES A LOSS OF TAXES TO TAXING ENTITIES.

UNDER THE CURRENT LICENSING SYSTEM, S A M 1 2 3, THE SAME PLATES ARE ISSUED FOR ALL VEHICLES IN NUMERICAL ORDER. ALL VEHICLES, UNDER THIS BILL, DO NOT REQUIRE TWO TAGS THEREFORE RENDERING ONE TAG USELESS ON SOME REGISTRATIONS AND CREATING ADDITIONAL BOOKKEEPING PROBLEMS.

IN CONSIDERATION OF THE TAXPAYER TWO PROBLEMS COME TO MIND: FIRST, ALL CARS ON THE ROAD TODAY WERE NOT MADE TO ACCOMMODATE A FRONT TAG THUS CAUSING AN ADDITIONAL EXPENSE TO PAY SOMEONE TO ADDRESS THIS PROBLEM. SECONDLY, THE COST OF REPLACING THE TAGS IN THE EVENT THAT ONE OR BOTH ARE LOST OR STOLEN SHOULD BE CONSIDERED. AT THE PRESENT TIME IT WOULD COST \$3.00 - IF TWO PLATES WERE USED THE AMOUNT WOULD PROBABLY DOUBLE.

I HAVE TRIED TO LIST A FEW OF THE THINGS THAT I FEEL NEED TO BE GIVEN CONSIDERATION BUT THE FINAL BLOW WOULD BE IN THE FISCAL NOTE NEEDED TO PROVIDE TWO TAGS BEGINNING IN 1992.

(3)

IF WE FOLLOW THE PRECEDENT SET BY THE LAST TAG PERIOD WHICH RAN FOR 7 YEARS, WE STILL HAVE 3 TO 4 YEARS LIFE LEFT ON THIS TAG ISSUANCE. THIS CUTS SHORT THE LIFE OF THE TAG AND DOUBLES THE COST DUE TO THE NUMBER OF TAGS NEEDED FOR A NEW ISSUANCE PERIOD.

THIS YEAR WHEN THE GOVERNOR, AND ALL LEGISLATORS JOIN EFFORTS IN LOOKING FOR NEW REVENUE TO ASSIST IN REAL ESTATE TAX RELIEF AND MONIES NEEDED TO FUND STATE GOVERNMENT, IS NOT THE TIME TO APPROVE A CHANGE IN STATUTE THAT HAS A SEVERAL MILLION DOLLAR FISCAL NOTE.

I APPRECIATE YOUR TIME AND ATTENTION. I KNOW YOUR JOB IS NOT AN EASY ONE AND I ASK YOU TO VOTE NO ON HOUSE BILL 2412. THANK YOU.

I WOULD BE HAPPY TO ANSWER ANY QUESTIONS.

MPL:sc



JAMES G. MALSON
DIRECTOR

KANSAS BUREAU OF INVESTIGATION

DIVISION OF THE OFFICE OF ATTORNEY GENERAL
STATE OF KANSAS
1620 TYLER
TOPEKA, KANSAS 66612-1837
(913) 232-6000



ROBERT T. STEPHAN
ATTORNEY GENERAL

TESTIMONY
MELANIE S. JACK, ASSISTANT ATTORNEY GENERAL
KANSAS BUREAU OF INVESTIGATION
BEFORE THE HOUSE TRANSPORTATION COMMITTEE
REGARDING HOUSE BILL 2412
MARCH 6, 1991

Mr. Chairman and Members of the Committee:

Kansas Bureau of Investigation (KBI) Director James Malson has asked me to come and speak in support of House Bill 2412.

Law enforcement can benefit in a number of ways if front plates are utilized in Kansas. When conducting surveillance, often times suspects position their vehicles to prevent police from obtaining tag numbers. Identification of victims, witnesses and suspects can be made through running tag numbers. Easier accessibility will aid in making quicker identification which can be critical information in assessing investigations and processing crime scenes.

In high speed chases and vehicle stops, front license plates would assist law enforcement in their identification.

The two plate system allows law enforcement to make a rapid identification of the vehicle tags and is more effective for police when they aren't always in a position to see the rear tag.

The KBI supports House Bill 2412. Thank you.

*House Transportation
3-6-91
ATTACHMENT 5-1*



KANSAS DEPARTMENT OF REVENUE

Division of Vehicles

Robert B. Docking State Office Building
Topeka, Kansas 66626-0001

TO: House Transportation Committee
Honorable Herman Dillon, Chairman

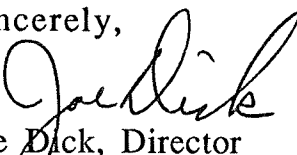
House Bill 2412 authorizes the division of vehicles to issue two license plates to every person who owns a passenger vehicle or truck registered for a gross weight of less than 12,000 pounds, farm custom harvesting truck registered for a gross weight of 16,000 pounds or less, and full privilege dealer plates. One tag is to be attached to the rear of the vehicle and the other tag attached to the front of the vehicle.

The normal reissuance for license plates is January 1, 1993. If a second license plate must be issued by January 1, 1992, a new license plate design should be selected so that reissuance of all plates can begin in 1992. Otherwise it would not be feasible to issue a complete set of old plates, then turn around in 1993 and reissue a full set of two new plates for each vehicle authorized by this bill.

The time frame for the reissuance of license plates is at least 21 months. This includes three months for approval of a new license plate design, and 18 months to reissue 4,200,000 plates to 2,100,000 vehicles. Center Industries can manufacture a maximum of 7,500 plates a day.

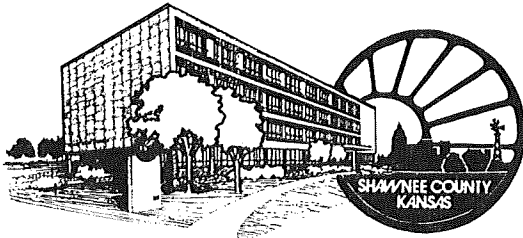
The cost to manufacture a license plate in 1992, with decals, will be approximately \$1.87 per plate. To completely reissue plates in 1992 with two plates per vehicle, will be approximately \$7,854,000. To issue new license plates on January 1, 1992, the division will need \$3,927,000 to order material and begin the manufacture of license plates by October 1991.

Sincerely,


Joe Dick, Director
Division of Vehicles

*Director of Vehicles (913) 296-3601 • Titles & Registration Bureau (913) 296-3621
Driver License Examination Bureau (913) 296-3963 • Driver Control Bureau (913) 296-3671
Motor Carrier Services Bureau (913) 273-8192
Dealer Licensing Bureau (913) 296-3626*

*House Transportation
3-6-91
ATTACHMENT 6-1*



**Shawnee County
Sheriff's Dept.**

200 East 7th, Topeka, KS 66603-3973

ED RITCHIE
SHERIFF
291-4047

DALE COLLIE
UNDERSHERIFF
291-4050

MEMORANDUM

March 5, 1991

TO: Members of the House Transportation Committee
FROM: Sheriff Ed E. Ritchie
RE: House Bill No. 2412


The purpose of this correspondence is to express to you my support for House Bill 2412, which is designed in part to require that license tags be placed on the front of vehicles in Kansas. I have been in law enforcement for nearly four decades, and based upon this experience recommend to you that this provision be passed, so that license tags on vehicles in Kansas will be placed on both the front and the rear of all vehicles.

My primary reason for support of this bill is that, as a law enforcement tool, license tags are extremely important. I would estimate that up to 90% of all criminal activity, at some stage or another, involves the use of a vehicle. Requiring that tags be placed on both the front and back of vehicles will assist law enforcement efforts in several situations.

First, the enhanced visibility will be a great asset when a person involved in suspected criminal activity is approaching an officer, it is extremely difficult to get a positive identification or solid look at the license tags at the rear of the vehicle. Once the vehicle is past the officer, it is next to impossible to record the tag number (such as through rearview mirror, or turning away from your driving to attempt to view the tag). Second, having tags only on the rear of vehicles provides another option for the escape of criminal suspects. I have seen situations where suspects have literally backed away from the scenes of crimes, successfully preventing the positive identification of the tag and vehicle. Further, by having tags on both front and back of vehicles, it will be more difficult for subjects to steal, switch, or otherwise manipulate vehicle tags.

In light of such factors, I would strongly urge your favorable consideration and passage of this bill, as being an asset for law enforcement efforts in the State of Kansas. If you have any questions or comments, do not hesitate to contact me. Thank you for your consideration.

Respectfully,


Sheriff Ed E. Ritchie
Shawnee County, Kansas

EER/jl

House Transportation
3-6-91
ATTACHMENT 7-1



KANSAS DEPARTMENT OF REVENUE

Division of Vehicles

Robert B. Docking State Office Building
Topeka, Kansas 66626-0001

TO: House Transportation and Utilities Committee
Honorable Herman Dillon, Chairman

House Bill 2483 further defines a display area for vehicle dealers as being visible from the street, and cannot be on a public easement, right-of-way or driveway. The display area shall be within sight of the dealer's office, and be reasonably accessible to such office. The display area may be located within a building, subject to approval of the Director of Vehicles.

By limiting the display area in such a way, it will make it more difficult for a person to obtain a vehicle dealers license in order to operate a dealership on a part-time or occasional basis, or obtain a dealers license in order to purchase dealer license plates for their personal vehicles.

It is not uncommon for a business, such as a body shop or garage to also be a licensed vehicle dealer. Or for an individual to apply for a dealers license by meeting the minimum legal requirements for an office and lot space, and sell five vehicles at an auto auction on December 31. Included among the minimum requirements for obtaining a dealers license are: having sign, visible from the street, with letters at least ten inches high; maintaining an office that is not a residence; and renting or purchasing lot space equal to the number of dealer plates issued. This leaves a gray area for persons to operate a dealership from an office complex, and rent parking stalls in the complex garage for a display lot.

This bill will also allow dealers to operate a dealership within a building, such as a mall, upon approval of the Director of Vehicles.

Director of Vehicles (913) 296-3601 • Titles & Registration Bureau (913) 296-3621
Driver License Examination Bureau (913) 296-3963 • Driver Control Bureau (913) 296-3671
Motor Carrier Services Bureau (913) 273-8192
Dealer Licensing Bureau (913) 296-3626

House Transportation
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ATTACHMENT 8-1

Also included in this bill is a provision to require dealers who share the same business location, under different names, to maintain a separate area from which to conduct business and maintain business records.

Sincerely,

Ken Clark
Division of Vehicles