

Approved 1-29-91
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

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

9:02 a.m./p.m. on January 24, 1991 in room 254-E of the Capitol.

~~All members were present except~~ Members present:
Senators Morris, Doyen, Brady, Hayden, Kanan, F. Kerr, Martin, Rock,
Sallee and Thiessen.

Committee staff present:
Ben Barrett, Legislative Research Department
Hank Avila, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
Louise Cunningham, Committee Secretary

Conferees appearing before the committee:
John Smith, Vehicle Administrator, Dept. of Revenue
Lance Burr, Lawrence, Attorney, representing Roger Kaul, landowner.
Shelli Crow-Johnson, Topeka, Attorney, representing Carla Nissen, landowner.

The Chairman said a sub-committee on the Commercial Drivers License has tried to help agricultural groups and others that may not be fully exempted by the federal government but there may be some leeway. We want to go as far as we can but still stay under the federal guidelines.

John Smith said the issuance of the new Commercial Driver License (CDL), will be delayed until April 2, 1992 because of difficulties in implementing the new computer system. The stricter penalties for the drivers went into effect on January 1, 1991. So far over 60,000 drivers have been tested and none have failed after the 4th test. The test is comprehensive but if the manual has been read there should be no problem. He said they would have some technical amendments later but there would be no basic change. They would just clarify. A copy of his statement is attached. (Attachment 1). A motion was made by Sen. Doyen to have two amendments to the act introduced by the committee. Motion was seconded by Sen. Sallee. Motion carried.

Hearing on SCR 1605 - Urging KDOT to temporarily discontinue construction or reconstruction on U.S. Highway 75.

Sen. Sallee said he had received a number of complaints from people in the area who had built new homes and did not want to give them up. He wondered if it would be more feasible to move the highway away from homes and businesses. He was not asking for a full study but only for a consideration from KDOT to look at the situation. This might slow down progress but it might be cost saving. He said he did not know if it would be an advantage or disadvantage to by-pass the Indian reservation.

Lance Burr said he had been working with Indian affairs for over twenty years and the Indian reservation by constitution is not a part of the state of Kansas. It is a sovereign nation. He said there had been complaints because state taxes were not being paid on the reservation. The Indians are in the process of enacting their own tax codes and these problems will be solved. If the highway is moved it will detract from business in the Indian areas. We want to provide incentives to help Indians and this would detract from their business opportunities. They are now struggling for survival and want to be independent and not assimilated into our society.

Mr. Burr said he was representing Roger Kaul who has a business in that area but is not a tribal member.

CONTINUATION SHEET

Minutes of the Transportation Committee on January 24, _____, 1991

Shelli Crow-Johnson said her client purchased property years ago after the highway improvement plan was adopted. Her purchase price was based on that approval. This change could cause a burden for her. Delay could add to the cost of the highway project. Problems are occurring in the area but those problems should be addressed directly rather than by the indirect and temporary solution to the problems. Her client requests that SCR 1605 be rejected.

In answer to questions she said her client was not a member of the tribe and is a convenience store owner along the highway.

Bruce Kinzie gave a brief review of SB 11 and SB 45 which are in the committee.

A motion was made by Sen. Thiessen and was seconded by Sen. Hayden to approve the minutes of January 23. Motion carried.

Meeting was adjourned at 10:00 a.m. Next meeting will be on January 29, 1991.

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 1-24 Place 254-E Time 9:02

GUEST LIST

NAME	ADDRESS	ORGANIZATION
LESLIE D. BRANDT	RR#1 HOLTON, KS	LAND OWNER
Ray W right	RR 1 Holton ks	land owner.
Carl JAKBOE	RR1 Holton KS	LAND OWNER
Tom Skurr	RR#1 Holton, Kan	Landowner
PAUL W. MATTHEWS	OKLA. CITY, OK	HIGHWAY USERS FEDERATION
Maureen Burke	KTKA TV	KS
Amy Kuhlott	Capitol Journal	
LT BILL JACOBS	TOPEKA	KS Highway Patrol
M. Hauver	Capitol Journal	Topeka
Sec Eisenhower	Co. HP - Gas Assn	"
Jacque Dakes	Topeka	Ks. Ind. Auto Dealers Assn.
Marvin E. Smith	Topeka	
Lucy Brandon	Holtton, KS	Fed Govt INDIAN AFFAIRS
Paul Depue	HOLTON, KS	DEPT OF INT. BUREAU OF INDIAN HOLTTON AGENCY AFFAIRS

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 1-24 Place 254-E Time 9:02

GUEST LIST

NAME

ADDRESS

ORGANIZATION

NAME	ADDRESS	ORGANIZATION
Roger F. DeVader	R.#1 Holton, Ks	Land owner
J. Neil Morrissey	R 1 Hoyt	Land owner
Mary A. Morrissey	Rt #1, Box 220 Hoyt	Land Owner
Lona R. Edwards	St. 2, Box 219 Mayetta	Land Owner for landowners
Shelli Cow-Johnson	2231 SW Wansmaker, Topeka	
JOE Kirkbrugh	S.E. 37th Topeka	Ks. Livestock Assoc.
Larry L. Cowdin	State Office Bldg.	KDOT
Sandra Aleyer	Docking SOB	Revenue
Marti Gonzales	Docking State Office Bldg.	Revenue
JOHN SMITH	Docking State Office Bldg	Revenue
Lance BARR.	16 E. 13 th Lawrence Ks	attorney
John Koch	Holton, Ks	Holton C of C.
Carl Williams	RR #2 Mayetta, Ks.	Dimison State Bank + Landowner
PAT MURROY	RR2 MAYETTA, Ks	RESIDENT
BRYAN McDANIEL	HOLTON	HOLTON RECORDER



KANSAS DEPARTMENT OF REVENUE

Division of Vehicles

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

SENATE TRANSPORTATION COMMITTEE

SEN. MORRIS, CHAIRMAN

The issuance of the new Commercial Driver License (CDL), originally scheduled to begin January 2, 1991, will be delayed until April 2, 1991; however, the stricter penalties for these drivers will take effect on January 1, 1991. The CDL is a new type of driver license for large truck and bus drivers that all states are required to issue by Federal law. The delay in the Kansas program is due to difficulties in implementing the new computer system which will allow state licensing departments to electronically share driver record information and check for possible violations in other states prior to issuing a CDL.

Drivers that are required to obtain a CDL **MUST** do so before **APRIL 1, 1992**, the Federal deadline for states to have these drivers licensed and tested. Drivers are also eligible to be grandfathered from taking the driving skills test, if they have a good driving record and two years experience. Typically, a CDL will be needed by anyone who drives a vehicle either inter- or intra-state that weights more than 26,000 pounds, carries 16 or more passengers (including the driver), or transports hazardous materials which require placarding under the Federal Hazardous Materials Regulations, 49 CFR Part 172, Subpart F.

The Division of Vehicles will continue to administer the CDL written tests on a walk-in basis at the Edwardsville station, 580 S. 4th St., Wichita - 2243 S. Meridian, Suite 104; Topeka - Forbes Field, Building 818, Section S1; Hays - 1222 Canterbury; and Garden City - 2506 Johns Street from 7:00 A.M. to 4:00 P.M., Tuesday through Friday.

The Division of Vehicles has available public information contact people throughout the State.

Kansas City area:	Jack Lindquist	913-422-1031
Topeka area:	Terry Mitchell	913-862-0044
Salina area:	Anita Druse	913-825-0321
Hays area:	Alan Burch	913-625-6917
Chanute area:	Pauline Keal	316-431-7080
Wichita area:	George Anderson	316-942-5281
Garden City area:	Jack Atteberry	316-276-8411

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

ATT. 1
T&U
1/24/91



Commercial Driver's License
Number of Tests

1-23-91

	1st Test	2nd Test	3rd Test	4th Test	
Gen. Know.:	14749	998	189	22	15,958
Air Brakes:	11742	961	165	24	12,892
Passenger:	7934	750	122	17	8,823
Comb. Veh.:	8383	625	62	7	9,077
Dbl/Triple:	3661	223	30	5	3,919
Tankers:	5809	203	24	0	6,036
Hazmat:	5556	529	60	5	6,150
	<u>57,834</u>	<u>4,289</u>	<u>652</u>	<u>80</u>	<u>62,855</u>

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