

Approved 3-21-91 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 March 19, 1991 in room 254-E of the Capitol.

~~All members were present except~~ Members present:

Senators Morris, Doyen, Brady, Hayden, F. Kerr, Martin, Rock, Sallee, Thiessen and Vidricksen.

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:

Rep. Jim Garner, Coffeyville  
Rep. Rick Bowden, Goddard  
Glen Yancey, Acting Commissioner, SRS  
Chip Wheelen, Kansas Medical Society  
Joe Furjanic, Kansas Chiropractic Association  
Harold Riehm, Kansas Association of Osteopathic Medicine  
M. K. Eason, Garden Plain Chief of Police

Hearing and Action on H.B. 2244 - Designating U.S. Highway 166 as the Martin Luther King, Jr. memorial highway.

Rep. Garner said this bill would designate a portion of U.S. Highway 166 which travels through Coffeyville as a "Martin Luther King, Jr. Memorial Highway." This had been requested by a group of citizens and there was much support. The bill had passed in the House 122-0. A copy of his statement is attached. (Attachment 1).

A motion was made by Sen. Brady to recommend H.B. 2244 favorably for passage and recommend it be placed on the Consent Calendar. Motion was seconded by Sen. Martin. Motion carried.

Hearing and Action on H.B. 2106 - Use of blue lights on emergency vehicles.

Rep. Bowden said this bill was requested by the police officers from Wichita, Andale and Garden Plain. This bill would be voluntary and not mandatory. Studies have indicated that blue lights are more visible than red lights and they capture the attention of a viewer more quickly. This would make people more alert to emergency and law enforcement vehicles. There was no opposition expressed during the House Transportation meetings and this had passed the House 114-4. A copy of his statement is attached. (Attachment 2).

A letter in support of H.B. 2106 was submitted by Tom Pollan, Kansas Association of Emergency Medical Service Administrators. (Attachment 3).

A letter dated March 19, 1991 from Tom Pollan, Director, Sedgwick County Emergency Medical Services in support of this bill was submitted. (Attachment 4).

A letter dated March 19, 1991 in support of this bill from Tom Pollan, Kansas Emergency Medical Technicians Association, was submitted. (Attachment 5).

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,  
room 254-E, Statehouse, at 9:02 a.m./~~p.m.~~ on March 19, 1991

Police Chief Eason spoke in favor of the bill and said the blue lights are more visible and only authorized vehicles would be able to use them.

A motion was made by Sen. Thiessen to recommend H.B. 2106 favorably for passage. Motion was seconded by Sen. Hayden. Motion carried.

Hearing on H.B. 2366 - Accessible parking for persons with a disability.

Glen Yancey said this bill would update terminology used in reference to people with disabilities and accessible parking privileges. SRS supports this bill. A copy of his statement is attached. (Attachment 6).

Chip Wheelen said if chiropractors were allowed to sign the statements there should be amendments to the bill referring to "persons licensed to practice the healing arts" rather than physicians. He submitted balloon amendments to H.B. 2366. A copy of his statement and proposed amendments are attached. (Attachment 7).

Joe Furjanic said his organization supports HB 2366. A copy of his statement is attached. (Attachment 8).

Harold Riehm said they support this bill but would object to any language from HB 2060 being incorporated into this bill. His Association supports the amendment suggested by the Kansas Medical Society.

They do not want chiropractic doctors to be included as "physicians". He also said "where do you draw the line" as to who may designate a disability and who may not. A copy of his statement is attached. (Attachment 9).

Previous Business.

A letter from the Federal Highway Administration to Marti Gonzales, KDOT, dated March 4, 1991 was distributed. This was in reply to a question that had been raised in committee concerning commercial feed yard vehicles in the Commercial Drivers' License (CDL) bill. (Attachment 10).

Written testimony from Gary Stotts dated March 5, 1991 pertaining to his comments on the railroad guarantee fund was distributed. (Attachment 11).

A motion was made by Sen. F. Kerr to approve the Minutes of March 7 and 8, 1991. Motion was seconded by Sen. Thiessen. Motion carried.

Meeting was adjourned at 9:40 a.m. Next meeting March 20, 1991.

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 3-19-91 Place 254-E Time 9:02

GUEST LIST

NAME	ADDRESS	ORGANIZATION
Ken Stodger	Topeka	KDOT
Glen Yancey	Topeka	SRS
Tony Maple	Topeka	KHP
Jim Jones	Topeka	KDOT
Ken Gudenkauf	Topeka	KDOT
Chip Wheelen	Topeka	Ks Medical Soc.
Joe FURJANIC	Topeka	KCA
KEITH R LANDIS	TOPEKA	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
Jim Garner		State Rep.
Mike <del>Osborn</del>	D.C. Ks	-
Anne Smith	Topeka	Ks Assoc. of Counties
Mark Eason	Shades Plain	Police Dept.
Rick Buden	Capitol	State Rep.
CAROL RENN	TOPEKA	Ks ASSN DISTED. MED



TOPEKA

HOUSE OF  
REPRESENTATIVES

## TESTIMONY ON HB 2244

JIM D. GARNER  
REPRESENTATIVE, 11TH DISTRICT  
P.O. BOX 538  
COFFEYVILLE, KS 67337  
STATE CAPITOL  
TOPEKA, KS 66612

COMMITTEE ASSIGNMENTS  
MEMBER AGRICULTURE AND SMALL BUSINESS  
JUDICIARY  
TRANSPORTATION  
LEGISLATIVE, JUDICIAL &  
CONGRESSIONAL APPORTIONMENT

Mr. Chairman; members of the Committee; I certainly appreciate this opportunity to appear before you in support of HB 2244.

This bill would designate the portion of U.S. Highway 166 which travels through the City of Coffeyville as a "Martin Luther King, Jr. Memorial Highway." This legislation was requested by a group of Coffeyville citizens. Senator Brady and myself have worked together in support of this matter. I believed at the time of the request and believe now that the request was a reasonable one and should be acted on favorably.

At the bill's hearing in the House Transportation Committee, four conferees from Coffeyville spoke in support of the bill. Also, many citizens attended the hearing to show support. In addition, letters of support were offered to the House Committee. The House passed the bill on Final Action by a vote of 122-0.

There are three highways presently designated as "Martin Luther King, Jr. Memorial Highway:" A portion of Interstate 470 in Topeka; a portion of U.S. Highway 24 in Kansas City, Kansas; and a portion of Interstate 135 in Wichita. Coffeyville should also be allowed to commemorate Dr. King in a similar manner. Dr. King was a great American and it is most appropriate that he be honored in this manner.

The fiscal note on this bill is quite small - - approximately \$250.00. Those who have joined together in request of this bill have stated they intend to provide the necessary funds for installation of the signs.

I respectfully ask this Committee to recommend HB 2244 favorable for passage.

Thank you.

ATT. 1  
T&U  
3-19-91

RICK BOWDEN  
REPRESENTATIVE, NINETY-THIRD DISTRICT  
433 WALNUT  
GODDARD, KANSAS 67052



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
CHAIRMAN: EDUCATION  
MEMBER: GOVERNMENTAL ORGANIZATION

House Bill 2106

H.B. 2106 was introduced at the request of police officers from Wichita, Andale and Garden Plain.

A few features of H.B. 2106 are worthy of special note.

- 1) The bill is entirely voluntary and not mandatory.
- 2) The bill as originally introduced would have applied only to police vehicles but was expanded in committee to apply to other emergency vehicles. I am particularly concerned that police officers vehicles be permitted to use the blue lights if their governing body approves their use.

This bill amends present law regarding permissible lamps and lights on authorized emergency vehicles. The bill would allow a combination of red & blue lights on such vehicles.

During time that the bill was heard in the House Transportation committee no opposition was expressed. The bill passed on the House floor by a vote of 114 to 4.

Testimony provided at the time the bill was heard in the House committee cited a number of studies that supported the use of blue lights in combination with red as the best means of visual alertness during periods of reduced visibility. (Supporting documents are provided to committee members.)

This bill was introduced with the safety of our law enforcement people in mind. We ask these officers to provide us protection at all times of the day and night and in a great variety of climatic conditions. With the supporting information before you, it seems very clear that permitting these officers to use a combination of red and blue lights will provide them with the greatest safety.

RB:dfl

ATT. 2  
T&U.  
3-19-91



*A Background Sketch of*  
**ANDREW G. SMITH**  
**PUBLIC SAFETY EQUIPMENT, INC.**

Andrew (Drew) Smith is Vice President of Engineering of Public Safety Equipment, Inc., better known in the trade as Code 3®.

Drew has been involved in numerous industry and governmental standard writing bodies for emergency warning lights and sirens, including: The Society of Automotive Engineers (SAE); Fire Apparatus Manufacturers Association; Federal KKK-1822 Standards for Ambulances; ASTM Ambu-

lance Standards and several state agencies formulating standards for emergency vehicle warning equipment.

Public Safety Equipment, Inc. is a leader in the design and manufacturing of state-of-the-art emergency warning equipment. Code 3 products are well known for their outstanding warning effectiveness and durability. Code 3 innovations have included:

- The highly effective StingRay™ multi-directional oscillating light.
- The multi-flash, multi-color Dashlaser, compact dash light.
- The ArrowStik™, which is the first effective traffic directing signal device designed to work in conjunction with emergency warning light bars.
- Innovative lighting and siren control systems, incorporating such features as fiber-optic communication links and triggering mechanisms that switch both siren tone and warning light functions from a single switch.
- And most recently, the world's most advanced light bar system, the MX 7000™, which incorporates two independent levels of warning lights and contains such features as fast oscillating lights directed into intersections in front of emergency vehicle, over 15 stationary lighting positions, unobstructed 360° rotating warning light coverage and many other innovative Code 3 features.

# Selecting Warning Light Systems That Command Attention

**Andrew G. Smith**  
Vice-President, Engineering  
Public Safety Equipment, Inc.

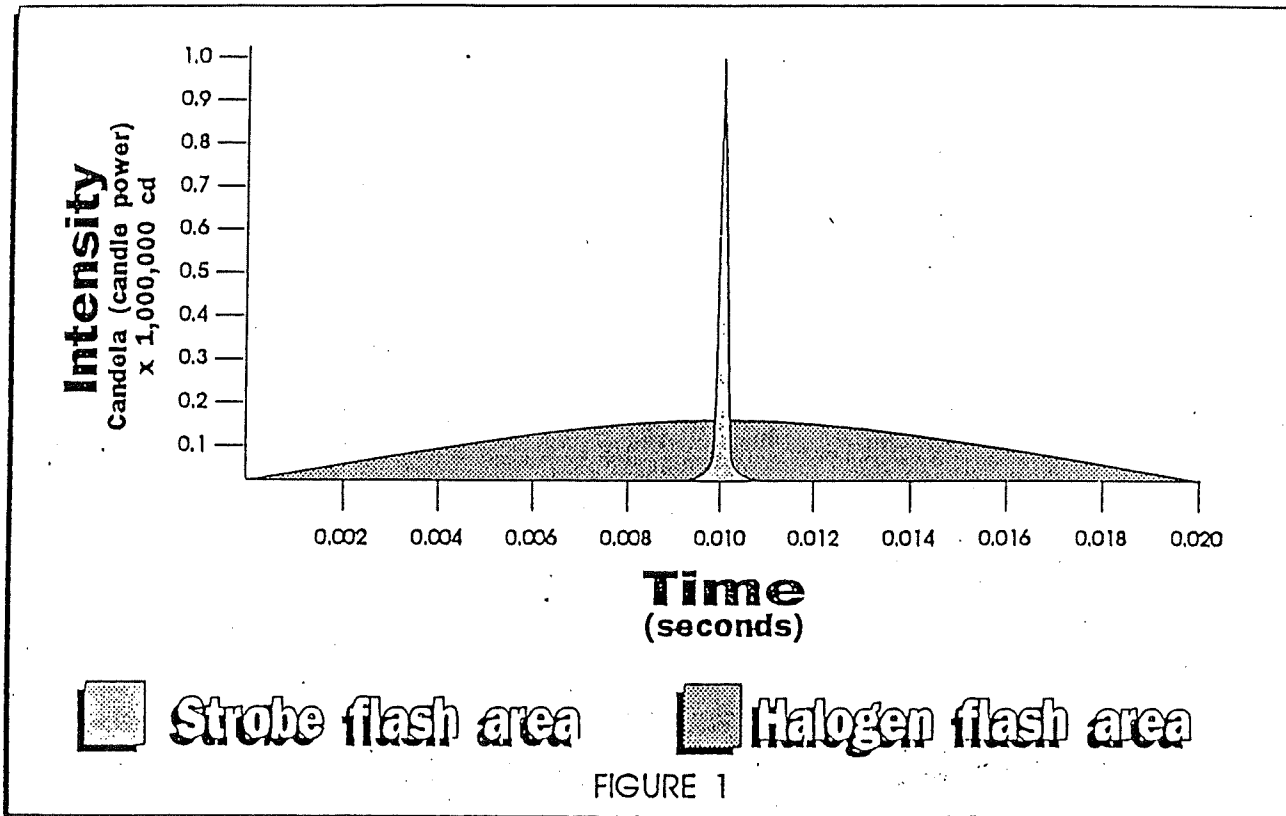
In order to effectively evaluate the various types of warning light systems available today requires an understanding of some of the basics of lighting science. Lighting engineers use the term, "Conspicuity", to describe the ability of a flashing warning light to capture the attention of a viewer. There are three primary factors that account for the ability of a warning light system to command a viewer's attention: (1) the light output of the device, (2) the color of the light emitted, and (3) the flash rate, or what I like to call "activity level".

## Light output

For years, we have long been told that "candlepower" is the primary measurement of light intensity. Although it may be an accurate measurement of light intensity, candlepower or "candela" is not an effective way of comparing the visual performance of light sources. The correct way to measure the total amount of light energy present is a method called "flash energy". Perhaps the best way to explain 'flash energy' would be to explain how a light meter would measure flash energy.

Figure 1 represents how the light output signals from a Strobe and Halogen warning light source would look on a graph. Notice the strobe light produces a very tall, but narrow burst of energy on the graph, showing a very high peak intensity for about 250 microseconds ( a microsecond is .00001 of a second ). Compare that with the halogen light flash. Although the peak intensity of the halogen light is only about 1 / 20th of the strobe light source, the duration of time which the halogen light is on is 100 times that of the strobe. On the graph, it's easy to see that the area under the halogen curve meets or exceeds the total flash area of the strobe signal.

# Flash Energy Comparison: Halogen vs. Strobe



The Society of Automotive Engineers (SAE) ran a test to determine if the mathematical comparison shown by the graph actually made a difference to people who would see the light. The SAE task force compared a halogen rotating light and a strobe light of the same flash energy, flash rate, and color. A body of viewers were asked to stand at various distances and note which of the two light sources appeared to be brighter. The group could not tell the difference between the two light sources. When asked to identify which light was the halogen and which was the strobe, the viewers could not determine which light was which, even from relatively short distances. The result - lights of the same flash energy, same flash rate and same color were perceived to be of the same brightness and were judged to be equally effective.

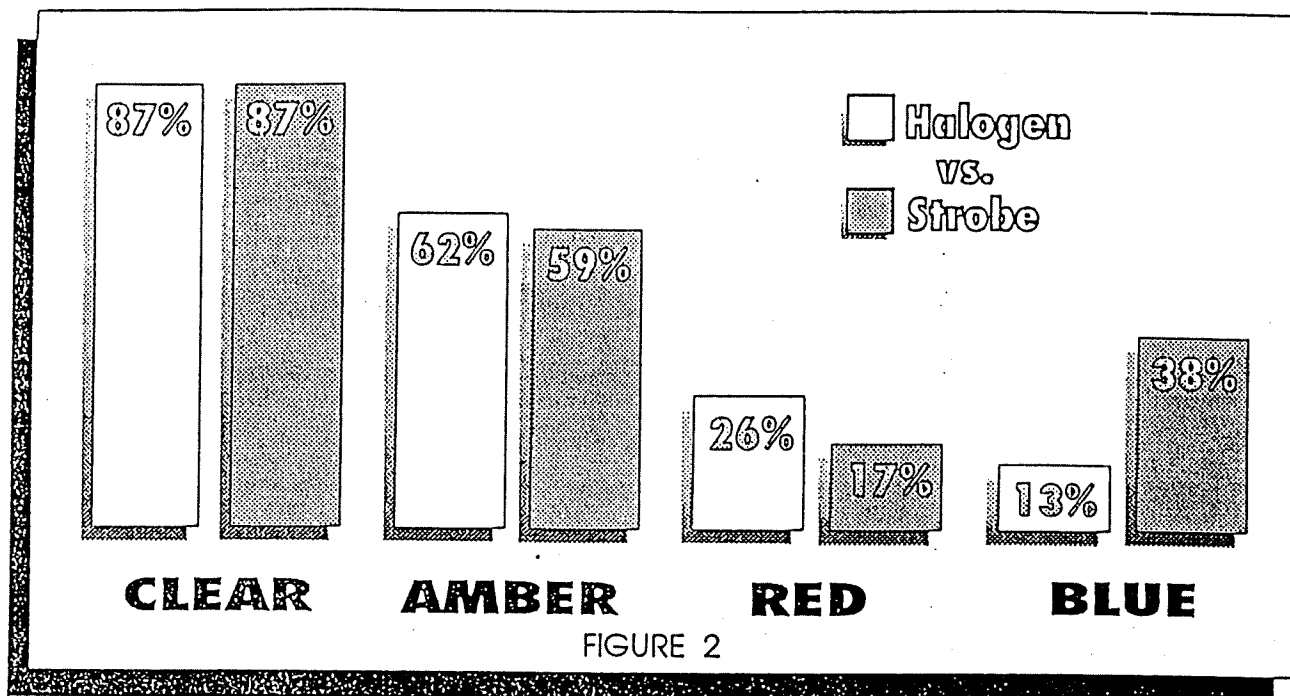
## Colors That Command Attention

The second factor in determining the effectiveness of a warning light is its color. Several factors must be noted when selecting the most effective color: 1) Transmittance - the amount of light which will pass through a colored filter. An amber filter will allow 60% of the halogen light to pass through. Red filters allow about 25% of the



light to pass, while blue filters allow only about 15 % of the light to shine through.

### Transmittance of various dome colors



These figures should give you a pretty good idea which lights would be most visible from a distance. Using the same light source behind the filters, white will appear to be the brightest followed by amber, red, and finally blue. But all the research has not been able to accurately measure the way the human eye perceives light. Surveys of volunteers have shown that the human eye is more sensitive to reds in the day and blue at night. SAE investigated this human phenomena to determine how the difference in sensitivity to color affected the way humans view flashing lights. We found that twice the amount of blue light energy is needed in daylight to be perceived as equal in brightness to a red light. At night, the situation is reversed and only one-third the amount of blue light energy is needed to be perceived as of equal brightness as a red light.

This strongly suggests that the best combination of primary warning light colors for emergency vehicles is a combination of red and blue - red for daytime viewing, blue for night.

There is another important factor in considering color - the message that various colors transmit. Depending on the jurisdiction, red, blue, or a combination of red and blue, transmit the message - "Emergency vehicle, be prepared to yield or stop." Amber light should not be overlooked as an effective warning signal. Amber light is about twice as bright as red and four times as bright as blue light. It is an extremely effective, long-range warning color. The

other advantage about a flashing amber light is that it relays a very specific message to those who view it - "Prepare to yield or merge". Also, amber lights can be sequenced as in an ArrowStik™ type device to generate an arrow to very effectively direct traffic in specific directions.

## Color temperature

The "Color Temperature" describes how much of the various colors in the light spectrum are contained in a given light source. The term is derived from the fact that when a tungsten filament is heated it begins to glow - first red, then yellow, then white and finally blue.

The temperature of a glowing filament in "degrees Kelvin" can be directly related to the color content of the light being emitted; thus the term "Color Temperature". It is important to draw some contrasts between halogen and strobe light sources. Halogen light has a color temperature in the 2,000 to 3,000 degree Kelvin range - a light contain ing quite a bit of red. Strobe light sources, on the other hand, have a much higher color temperature - 5,000 to 6,000 degrees Kelvin - very close to the color temperature of sunlight. As a result, the strobe light tends to blend with the daylight and often appears very dim in bright daylight. The other problem with a strobe light appears when you place a red filter in front of a strobe light source. The filter removes all the light in the color spectrum other than red. Since strobes contain a high degree of blue, most of the light energy is absorbed by the red filter. In fact, most red strobe signals barely meet minimum SAE and California requirements. That is why many red strobe light lenses are now pink in an effort to get more flash energy out of their signal. This "double whammy" diminishes the effectiveness of a strobe light in the toughest, but most common warning light situation - broad daylight.

## Foveal and Peripheral Vision

The next factor in determining a light's conspicuity is the light's activity level or Flash Rate. Here again, the way the human eye processes what it sees has a great effect on the warning light's effectiveness.

There are two components to our vision - the FOVEAL or 'forward' vision which allows us to focus, read, and see detail and PERIPHERAL or 'side' vision which is very sensitive to movement but does not allow you to read or clearly focus on objects. You must turn your head and focus your foveal vision on an object to perceive it's shape or meaning. As a kid playing ball, you may remember when a ball approached you from the side, your peripheral vision detected the motion, told your mind to turn your head so your foveal vision could focus on the ball and allow you to react to the danger. This is a natural defense mechanism.

This suggests that for maximum impact, a warning light signal needs to contain: 1) a very high flash energy to allow the light to be seen from a distance, and 2) a very high activity level - lots of action, flash rates and changes of color so it can be quickly picked up by the peripheral vision.

In the old days, the first warning lights were a steady red light. We then began to flash that red light to increase the light's ability to capture the attention of viewers. Someone figured out that if you rotated that light source, you could get the attention-grabbing effect of a flashing light and provide equal coverage all the way around the vehicle. Then "light bars" were developed which gave us a format to mount various warning light devices. Today, we are finding that activity level can be further improved by varying the flash rate while maintaining a constant flash energy. SAE tests were conducted to determine the effect of flash rate. We found that if we maintained a constant flash energy such that every flash produced was of equal energy and then increased the number of flashes produced, the conspicuity increased considerably. The test called for maintaining a constant flash energy, but if you increase the number of flashes of a strobe light during a specified period of time or increase the spinning rate of a rotating halogen light source, you provide more flashes but each flash is of lower flash intensity and lower flash energy. It is crucial that you keep the flash energy relatively constant while increasing the flash rate to raise the conspicuity of a warning signal. Code 3<sup>®</sup> has capitalized on this concept by taking a conventional rotating light source and, through a switching means, oscillate it through a 100 degree arc. Since the rotational speed of this oscillating light is the same as when it rotates 360 degrees, every flash that it produces is of the same flash energy. The difference is the oscillating light produces a tripling or quadrupling of the number of flashes. Anyone who has seen the StingRay™ in action has realized that this is the highest combination of flash energy and flash rate available in any device currently available in any light bar on the market.

## Designing the effective warning light

A warning light system serves two functions. First, it alerts motorists that an emergency vehicle is present. Secondly, a warning signal needs to continuously broadcast the location of the emergency vehicle in such a manner that viewers can identify its speed, location and direction of travel.

A strobe light produces a very intense light for a very short period of time and is then "off" for a lengthy time. The long "off" time makes it difficult to track the location of a rapidly moving emergency vehicle. This is especially true for elderly persons, the physically impaired and those impaired by drugs or alcohol. It requires a higher level of

concentration to locate and track a strobe equipped vehicle. This situation can be improved by double flashing the strobe light source, but you are still left with an extremely long "off" time.

Rotating signals, on the other hand, provide a strong primary signal and strong secondary signals off mirrors and other devices that lengthen the dwell time of the flash. And since the rotating light source has a continual output, the light bounces off buildings, cars and other obstructions, so it is easy to continually mark the location of the emergency vehicle. In addition, rotating light systems emit a continual glow of light from their lenses even when the light signal is not pointed at the viewer. This would suggest that if you are using directional strobes, you need to combine the strobes with a rotating light signal to provide a constant marking light locating the emergency vehicle.

When designing an effective warning light system, we need consider the response we want the warning lights to evoke. The messages the emergency vehicle send may be different ranging from the long-range signal of an emergency vehicle requesting that viewers take note of its location and direction of travel to the short-range demand that a driver take immediate action to yield to the emergency vehicle. The accompanying chart, Figure 3, shows the varying situations that confront emergency vehicles, the messages the warning light systems need to convey in each situation, how the signal is first sensed by the viewer, and finally, how you, as a user of warning light systems, might be able to improve the viewer's response to the warning light.

In long-range warning situations, you want to send the message that than an emergency vehicle is approaching. You want to send the message that they should observe your location and speed and should prepare to yield when the emergency vehicle approaches. The long-range signal is detected by the forveal vision of the drivers which we are approaching head-on. To attract the attention of driver's who you are approaching from behind, your warning light source needs to penetrate the rear window, reflect off the rear-view mirror and be sensed by the driver's peripheral vision so that the foveal vision can be triggered to focus on the light source. How do we do this? First, we are looking for maximum long distance warning which is achieved by high flash energy light sources: oscillating lights, flashing headlights, long flash duration stationary directional lights (halogen or strobe). The first choice of color would be white to provide the maximum flash energy level, followed by red for day and blue for night. A rotating signal in red and/or blue provides recognition as an emergency vehicle and long dwell secondary light signals constantly mark the vehicle's location. Unquestionably, flashing headlights are extremely effective warning signals in this application. Stationary directional lights can be effective in this case because you can accept a lower flash rate, giving a higher flash energy from the light source to provide a good long distance warning.

## Out of the Way NOW!!

Of course, one of the most critical needs of emergency vehicles is the ability to communicate an effective short-range warning to vehicles in their path that "an emergency vehicle is not only in the area, but it is here right now! Move out of the way IMMEDIATELY!" In the case of short-range warnings, the warning signal most often needs to be sensed by the peripheral vision, because if the driver's haven't seen it with their foveal vision by now, they are undoubtedly looking elsewhere and you need to catch their peripheral vision. Given the very short time drivers have to react in this situation, you need to flood the area with a tremendous amount of high flash energy light flashes. Here, it's effective to blast the scene with an added layer of warning lights. Your best choice for highest flash energy and flash rate is an oscillating light source, blasting it for several seconds as needed, thereby changing the signal being sent by the lighting system from that of an "emergency warning" system to a high urgency "traffic clearing" signal.

But emergency vehicle accident statistics show that warning light systems have an equally important role in preventing the most common emergency vehicle accident - the intersection collision. As an emergency vehicle approaches an intersection, the warning light system must not only convey the message that "The emergency vehicle is present NOW", but also, "The emergency vehicle is going to cross your path, and you have to react instantly". To catch the attention of vehicles crossing the path of the emergency vehicle, you must use lighting systems that instantly captures the peripheral vision attention of drivers approaching the emergency vehicle's path. Here you must utilize all the warning methods previously mentioned and also focus a constant, high flash energy, high flash rate light source into the upcoming intersections at a 45 degree angle forward of the emergency vehicle. Here, dual oscillating lights that are concentrated at 45 degrees off to both sides emitting a continual signal prove to be an extremely effective intersection warning system.

Almost as important but not quite as urgent is the need to warn motorists that they are approaching a stationary emergency vehicle which is stopped. Your main objective here is, of course, to prevent a rear end collision into your emergency vehicle. You want to minimize the signal sent forward to avoid creating a "rubbernecking" situation, but you want to send a clear signal to the vehicles behind you that there is an emergency vehicle ahead and they need to be prepared to detour or merge around the scene. Here, an amber light source is extremely effective. The amber signal provides excellent long-range warning and sends a cautionary, rather than a stop message.

CONDITION	MESSAGE SIGNAL MUST SEND	HOW SIGNAL IS FIRST NOTICED	METHOD
Long-range forward warning.	Emergency vehicle approaching. Observe location & direction of travel. Prepare to yield.	Opposing Approach: Foveal vision. Approach from rear: Peripheral vision. (Relatively "long" period of time to respond.)	High flash energy signals: High flash energy oscillating lights with white light facing front. High flash energy oscillating lights with red filters (day) & blue filters (night) for recognition as an emergency vehicle. Flash headlights (day). Long duration flash. Stationary directional flashing lights—halogen or strobe in red (day) & blue (night). Rotating signal in red and/or blue to provide long dwell secondary light signal to constantly mark vehicle location.
Short-range forward warning. Congested traffic.	Emergency vehicle present—Quickly clear right-of-way.	Opposing Approach: Foveal and Peripheral vision. Approach from rear: peripheral. ("Short" period of time to respond.)	Super High Concentration of high-contrast lighting—high flash rate & high flash energy signals. High flash rate & flash energy oscillating lights to provide zero "off-time" high contrast signals quickly perceived by target vehicle operator. White color of preference for maximum effect. Red next best for day lighting. Blue next best for night lighting. Effective to "blast" these signals for short durations, along with a change in the siren tone to denote the event changing from emergency vehicle "coming" to emergency vehicle here now. Multiple colors provide additional contrast to surrounding conditions. Multiple rotating signals & reflecting mirrors to provide secondary saturation of traffic scene and assure coverage of all sides of vehicle. Flash headlights at high rate.
Short-range 45°-90° off angle approaching intersections.	Emergency vehicle about to cross your direction of travel. Take action now.	Primarily peripheral vision. (Little to no time to respond.)	All of above and focus high flash energy signals directly at angle of approach. High output oscillators travelling 70° to 120° from center. White color of preference.
Emergency vehicle stopped alongside right of way. No danger in through lanes. Oncoming traffic need not slow. Minimize "rubber-necking".	Emergency vehicle present—proceed with caution. Do not stop.	Primarily foveal vision.	Rear only slow flashing lights. Amber highly preferable to transmit "caution" and "yield" rather than "stop" message. Slow oscillating light. Random or alternating flashing (not sequenced.) stationary directional light—halogen or strobe.
Emergency vehicle stopped on right-of-way—through lanes blocked—traffic must divert.	Emergency vehicle present. Proceed with caution around scene—move only right or split & move either left or right. Do not stop.	Foveal vision—Approaching traffic directly in line with scene.	Sequenced rear facing amber lights which build an arrow signal in necessary direction.
Traffic stop—night time.	To violator: Stop. Don't Move inside vehicle. Your actions are being observed.	Rear-view mirror—foveal & peripheral vision.	(2) white takedown lights, facing forward.
Surveillance alongside cruiser without lighting devices blocking 360° warning signals.	(Stationary or moving surveillance of area.)	N/A	1 or 2 alley lights, each side.

The same recommendations hold true where a traffic lane is blocked either by an emergency vehicle or disabled vehicle, however, a slightly higher level of urgency exists. In this situation, you have to provide very specific directions to traffic. You want traffic to slow and be aware of the situation and then know which direction to move around the emergency situation. Here the amber light sequence in an ArrowStik type device can send a very specific message for traffic to move either left or right or in both directions around the scene. Additional situations and lighting recommendations are listed in Figure 3.

### Words About Strobe Systems:

In comparing Strobe and Halogen light sources, several characteristics of Strobe light sources should be noted:


- Strobe lights provide a clear, strong blue signal, especially visible at night. However, it must be noted that due to the color temperature of a strobe light, the same blue signal that is highly visible at night is extremely poor in daylight because it is washed out by the sun.

- As a red light source, strobes have very poor photometric performance.

- Strobes can often provide long-distance penetration in adverse weather conditions such as fog, snow, and rain. This is good for stationary emergency vehicles trying to provide a long-distance warning in these conditions. However, the strobe may actually become a disadvantage when driving that emergency vehicle in the adverse weather. The extremely short duration of the strobe light tends to freeze the action of anything moving around it such as snowflakes. The strobe flashes reflecting off the snow, fog or rain may blind or disorient the emergency vehicle operator.

- The high cost of strobe lights often results in fewer lights being used in a strobe system to keep the system competitively priced. The smaller number of strobe lights in the system means the system will consume less current. However, when comparing lighting systems by their ability to provide equal lighting performance, the strobe system will often cost double that of an equal halogen system. The important point to be noted here is that individual halogen light devices often provide equal, and in many cases, higher flash energy light performance than strobe components.

# Strobe



Best performance in blue. Outstanding at night.

Long distance penetration in fog/snow good when emergency vehicle is stopped.

Amber signal good.

Cost of systems tend to limit number of lighting devices = limited current consumption.

Most flexibility in flash rates & device sizes for stationary fixed directional lights—often best choice for directional light applications.

Low maintenance due to no moving parts (perception).

Long light source life (flash tube).

# Halogen



Best performance in red—suggested for daytime usage.

Blue signal outstanding at night.

Amber signal excellent. Twice the energy level of red.

Strong secondary flash—easy to locate & track. Greater impact on impaired people.

Highest flash energy levels currently obtainable. Red 2 to 3 times that of strobe levels. Blue 1.5 times that of strobe. Amber 1 to 3 times that of strobe levels.

Equal light output with same current consumption, but half the cost of strobe systems.

Higher light outputs with high current consumptions easily obtained.

System user maintained by:

Bulb only maintenance item. (other components typically outlive several patrol cars.)

Bulb & rotator easily changed.

Bulb change is only component required to provide SAE & California min. output levels for up to 10 times longer than typical strobe system.

One light source failure has no effect on other light sources.

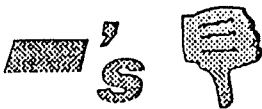
RFI suppression built in to motors.

Rotating light concentrates its full light energy into a narrow beam & distributes it 360°, providing full flash energy to all points surrounding vehicle.

Only effective way of providing takedown & alley lights.

Capable of highly effective "ArrowStik™" type of traffic directional lighting device.

# Strobe



Blue signal "lost" in daylight. Intensity must be lowered at night.

Poor red signal.

Disorienting to emergency vehicle driver in fog/snow. "Stops" snowflakes in motion and creates high glare from reflected light.

Short duration flashes disorienting—particularly to physically & mentally impaired. Requires concentration to follow.

Cost typically twice that of halogen systems. 2-3 times if compared on a light output-per-dollar basis. Performance roughly equal if compared on a light out-per-electrical current-consumed basis.

Power supplies degrade over time. Capacitors highly stressed, tubes degrade over time. Both combine to significantly lower output as system ages.

Process is gradual, unnoticed. Light output drops below min. spec. levels. Power supply and flash tubes should be replaced long before the light output ceases, in order to continue to meet SAE & California output requirements.

Power supplies costly: \$250-300. each.

Power supplies not user-repairable.

Flash tubes expensive. \$45.+

Radio frequency interference (RFI) common. Requires additional cost options to suppress, and sometimes complex troubleshooting.

Failure of power supply shuts down up to 4 light heads.

Strobe devices only effective as directional warning. To cover 360° requires multiple light units with some angle of coverage—can't utilize mirrors to enhance coverage.

Unable to provide an understandable strobe traffic directional lighting arrow.

# Halogen



Blue signal "lost" in daylight.

Bulb life.

Large number of devices & output levels available sometimes lead uninformed purchaser to "over-specify" high-current devices.

Fig. 4



## Words About Halogen Systems:

In evaluating halogen warning light systems, several characteristics must be noted:

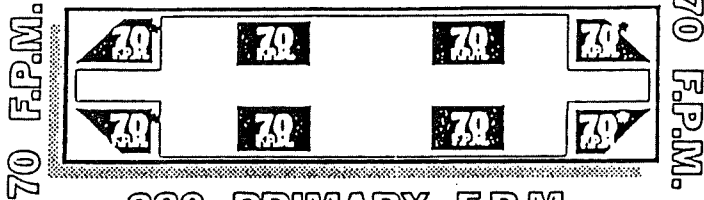
- Halogen light sources work best in red warning lights to provide an outstanding daytime signal.
- The reds produced by halogen lighting systems provide two to three times the light output of red strobe light systems.
- Halogen lighting systems offer the highest flash energy of any light source currently on the market.
- In comparing halogen and strobe lighting systems that draw the same amount of current, the halogen light system will provide equal or greater light output.
- The wide variety of halogen lighting systems available today can be confusing and lead to the purchase of a system that may draw an excess amount of current. You should keep in mind that halogen lighting systems provide a tremendous amount of flash energy for the amount of amperage used. If the lighting requirement demands the maximum warning light effectiveness, a halogen light system provides the highest flash energy devices available.

## Comparing Lighting Systems:

To bring this comparison problem in focus, let's look at two popular warning light systems as noted in Figure 5. The popular strobe bar contains eight light heads and two power supplies. The halogen system contains 2 - 100 flash per minute (FPM) rotators and a 160 FPM rotator in the center position. The strobe light produces 280 primary flashes and 280 secondary flashes per minute, both front and rear. This strobe light system is equipped with portions of strobe tubes pointed out the end, separated by an alley light. With this particular system, the end strobes must flash together in order to produce enough light energy out of the side to meet the minimum SAE and California Lighting requirements. Since the end strobes flash together, you get a total of 70 primary and secondary flashes out of the sides of this lighting system.

Whelen 9308  
Strobe System  
Amp Draw: 12 amps  
Price: \$1,160.00

280 PRIMARY F.P.M.  
+  
280 SECONDARY F.P.M.

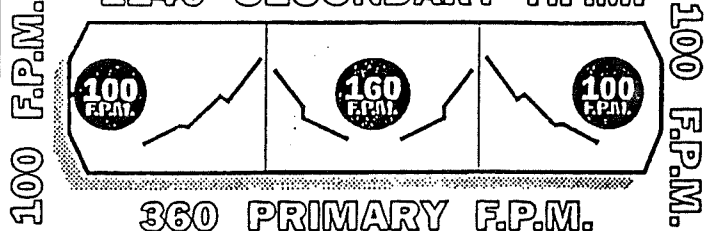


280 PRIMARY F.P.M.  
+  
280 SECONDARY F.P.M.

\*End lamps must flash together to meet minimum SAE and California light output requirements.

COD: 3 5320 AF  
Halogen Rotator System  
Amp Draw: 12 amps  
Price: \$580.00

360 PRIMARY F.P.M.  
+  
1240 SECONDARY F.P.M.



360 PRIMARY F.P.M.

## The Results:

**STROBE**  
TOTALS:  
560 Primary F.P.M.  
560 Secondary F.P.M.

**VS**

**HALOGEN**  
TOTALS:  
920 Primary F.P.M.  
1240 Secondary F.P.M.

The halogen system, on the other hand, provides 360 primary flashes and 1,240 secondary flashes to the front. The secondary flashes reflect off the mirrors located within the lighting system. This system also produces 360 primary flashes to the rear and 100 flashes per minute to the side. Comparing the flashes produced by these two systems, you find the strobe lighting system produces 560 primary and 560 secondary flashes compared to 920 total primary and 1,240 total secondary flashes per minute for the halogen system. That means the halogen light bar produces 1.6 times more primary flashes and 2.2 times more secondary flashes - for about half the cost of the strobe system.

Both systems in this comparison draw 12 Amps. Since the halogen light system provides a higher number of flashes of equal or greater flash energy per flash at about half the cost of the strobe light system, which would you consider to be the best value?

### Maintenance Considerations:

The power output of a strobe power supply and the light output of a strobe flash tube continually diminish over time. The light output of a strobe light source can drop below the SAE and California required minimums; particularly, in red lights. To maintain minimum light output levels, the power supply and flash tube would have to be replaced long before the units stopped emitting light. Since most units are not easily serviced, you may have to ship the power supply back to the factory. In the end, light servicing will cost you \$ 250 to \$ 300 for a new power supply and \$ 50 for each flash tube, not to mention the down time you suffer while the unit is being serviced.

The simple design of the halogen system and the natural benefits of halogen lights make for easier, lower cost maintenance. The rotating mechanism of the average halogen warning light system typically out lives 3 to 4 police cruisers. Some systems, such as the Code 3 system, are permanently lubricated and last for the entire life of the system without maintenance. The only routine maintenance item on a halogen system is the light bulb, but the natural characteristics of halogen bulbs give halogen systems a very positive advantage. When first lit, a halogen bulb slightly increases in light output over a period of time before light output levels off. The light output eventually drops off, but usually drops no more than 1 to 2 percent before the bulb burns out. The high output characteristics of halogen bulbs allow halogen light systems to maintain required light output levels for up to ten times longer than a strobe light system without replacing major components.

### Last, but Definitely not Least

It is not uncommon for radio frequency interference to accompany strobe light use. It often requires some rather complex and costly troubleshooting to identify and suppress the interference. On the other hand, quality halogen lighting systems such as the Code 3 warning light system have radio frequency interference suppression built into every system.

Warning light systems should be tailored to the demands of the specific emergency vehicle. Color, flash energy, and flash rates need to be weighed in the decision which warning light system best suits your needs. And finally, maintenance considerations should be weighed before making your purchase. There are instances when strobe

light systems are ideal, but in most cases, the lower cost, lower maintenance halogen light systems will fill your warning light system needs and leave you with more of the extremely difficult-to-get funding left for other crucial needs.

EMERGENCY  
COMMITTEE:

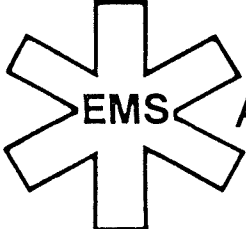
TOM POLLAN, Chmn.  
c/o Sedwick Co. EMS  
528 N. Main  
Wichita, KS 67203  
(316) 383-7994

DAVID GOODYEAR, V. Chmn.  
Coffeyville Reg. Med. Centr. EMS  
Coffeyville, KS 67337  
(316) 251-1200

JOANN KNAK, Sec.  
c/o Marion Co. EMS  
P.O. Box 282  
Marion, KS 66861  
(316) 382-3271

LARRY COUCHMAN,  
c/o Riley Co. EMS  
2001 Claflin  
Manhattan, KS 66502  
(913) 539-3535

KANSAS  
ASSOCIATION of EMS ADMINISTRATORS



To: Chairperson Morris and Honorable Members of the  
Senate Committee on Transportation and Utilities

From: Tom Pollan, Chairman  
KAEMSA

Date: March 19, 1991

Re: H.B. 2106

The Kansas Association of Emergency Medical Service Administrators (KAEMSA) appears in support of House Bill 2106.

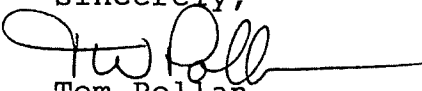
KAEMSA represents the administrators of Emergency Medical Service (EMS) that operate services to provide care and transportation of the sick and injured across Kansas. In Kansas, approximately 160,000 requests for service are responded to by EMS. The vast majority of these requests require the use of emergency lighting during the response to calls, and to provide scene security for our emergency personnel.

KAEMSA supports this legislation to increase the protection of our personnel while they respond to, and at the scenes of, emergencies. KAEMSA joins our allied agencies from the law enforcement and fire services in giving full support to H.B. 2106.

Thank you for your time and consideration of this most needed addition of blue lights for ALL authorized emergency vehicles.

Should you have any questions, please feel free to contact me.

Sincerely,

  
Tom Pollan  
Chairman

HB2106/KAEMSA/91

ATT. 3  
T&U  
3-19-91



## SEDGWICK COUNTY, KANSAS

EMERGENCY MEDICAL SERVICES

OFFICE OF THE DIRECTOR

538 N. MAIN  
WICHITA, KANSAS 67203-3754  
(316) 383-7994

To: Chairperson Morris and Honorable Members of the Senate  
Committee on Transportation and Utilities

From: Tom Pollan, Director

Date: March 19, 1991

Re: H.B. 2106

Sedgwick County EMS is the largest pre-hospital provider of care and transportation of the sick and injured in Kansas. Sedgwick County EMS responds to approximately 1 out of every 5 requests for emergency medical services in the State. The vast majority of these requests require the use of emergency lighting during the response to calls and to provide scene security for our emergency personnel.

Sedgwick County EMS supports this legislation to increase the protection of our personnel while they respond to, and at the scenes of, emergencies. We join the Wichita and Goddard law enforcement agencies in giving full support to H.B. 2106.

Thank you for your time and consideration of this most needed addition of blue lights for ALL authorized emergency vehicles.

Should you have any questions, please feel free to contact me.

Sincerely,

Tom Pollan  
Director

ATT. 4  
T&U  
3-19-91

HB2106/SCEMS/91



## Kansas Emergency Medical Technicians Association

Sylvia Davis, President  
R.R. 1  
Pretty Prairie, Kansas 67570  
316-459-6963

Mary Ann Luby, Executive Director  
P.O. Box 1506 • Emporia, Kansas 66801 • 316-343-2854

### OFFICERS:

Dale Creed, Past President  
2728 Rawhide Lane  
Lawrence, KS 66046  
913-841-6696

Duane Billinger, Vice President  
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Garden City, KS 67846  
316-275-6862 (H)  
316-275-6111 Ext. 280 (W)

Legislative Liaison  
Tom Pollan  
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Wichita, KS 67203  
316-722-6010 (H)  
316-383-7994 (W)

Greg Ewing, Secretary  
Box 201  
Ulysses, KS 67880  
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316-356-4466 (W)

Diana Arnold, Treasurer  
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316-357-6117

Edward W. Luby, Jr., Financial  
Consultant  
P.O. Box 1506  
Emporia, KS 66801  
316-343-2854

### REGIONAL DIRECTORS

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913-769-5385

Region 2  
Sheryle Broeckelman  
506 Kraus  
Lakin, KS 67860  
316-355-7374 (H)  
316-355-7111 (W)

Region 3  
Bill Auchterlonie  
538 N. Main  
Wichita, KS 67203  
316-268-7994

Region 4  
Galen L. Gentry  
Box 430  
Alma, KS 66401  
913-765-3913

To: Chairperson Morris and Honorable Members of the  
Senate Committee on Transportation and Utilities

From: Tom Pollan, Legislative Liaison  
KEMTA

Date: March 19, 1991

Re: H.B. 2106

The Kansas Emergency Medical Technicians Association  
(KEMTA) appears in support of House Bill 2106.

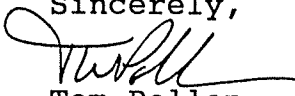
KEMTA represents the Emergency Medical Service (EMS) personnel that place their lives on the line each day to provide patient care and transportation on the highways and byways across Kansas. In Kansas, approximately 160,000 requests for service are responded to by EMS personnel. The vast majority of these requests require the use of emergency lighting during the response to calls and to provide scene security for the emergency personnel as they render their life saving care.

We are sure that those who represent law enforcement and fire services will agree, our personnel are placed at great risk when they are required to respond to requests for service while operating emergency equipment. Additionally, their risk increases as they provide their appropriate services at the scene of accidents on our highways and byways. Anything that will increase their protection and decrease their risk of severe injury or even death should be immediately implemented. KEMTA joins our allied agencies from the law enforcement and fire services in giving full support to H.B. 2106

Thank you for your time and consideration of this most needed addition of blue lights for ALL authorized emergency vehicles.

Should you have any questions, please feel free to contact me.

Sincerely,

  
Tom Pollan  
Legislative Liaison

HB2106/KEMTA/91

ATT. 5  
T&U  
3-19-91

Kansas Department of Social and Rehabilitation Services

Testimony in Support of House Bill No. 2366

Mr. Chairperson and members of the Committee:

SRS supports House Bill 2366 which updates terminology used in reference to people with disabilities and accessible parking privileges.

The recommended language is consistent with the "Guidelines for Reporting and Writing about People with Disabilities" developed by the Research and Training Center on Independent Living at the University of Kansas. These guidelines reflect input from more than 100 national disability organizations and emphasize putting people, not disability, first. Language like "person with a disability" appropriately places the focus on the individual, not the particular functional limitation. The parking space is more accurately portrayed as "accessible" rather than "handicapped."

The words we use in our speech and writing have a subtle impact on the way in which people with disabilities are viewed, in their home communities and on the job. Therefore, I urge the Senate Committee on Transportation to support these amendments.

Glen Yancey  
Acting Commissioner  
Rehabilitation Services  
Social and Rehabilitation Services  
296-3911  
March 19, 1991

ATT. 6  
T&U  
3-19-91





## KANSAS MEDICAL SOCIETY

1300 Topeka Avenue • Topeka, Kansas 66612 • (913) 235-2383  
Kansas WATS 800-332-0156 FAX 913-235-5114

March 19, 1991

TO: Senate Transportation and Utilities Committee

FROM: Kansas Medical Society *Cheryl A. Tuleen*

SUBJECT: House Bill 2366; Accessible Parking for Persons with a Disability

Thank you for this opportunity to express the support of the Kansas Medical Society for the provisions of HB 2366 as passed by the House. This bill would replace outdated terminology with more proper language to make it clear that persons with a disability are not necessarily handicapped. This is certainly consistent with a medical perspective on the subject of physical disability.

The Kansas Medical Society is also concerned about a secondary issue that will surely be raised. The House also passed HB 2060 which amends K.S.A. 1990 Supp. 8-1, 124. This section of the statutes is contained in HB 2366 as well. House Bill 2060 would allow chiropractors as well as physicians and Christian Science practitioners, to sign a statement verifying the physical disability of a person applying for a special parking placard or license plate.

We are not here to debate the relative qualifications of chiropractors to determine the extent of a person's disability. We would suggest, however, that by expanding the number of professions that may determine eligibility for the special parking, that such parking will become less accessible as more people apply for and receive the special placards and license plates.

Our real concern is the language employed in HB 2060 requested by the Kansas Chiropractic Association. In order to make chiropractors eligible to sign the statements, the KCA proposed defining "physician" in a manner that includes chiropractors as well as persons licensed to practice medicine and surgery. This is inconsistent with the Kansas Healing Arts Act as well as a number of other statutory references to the terms "physician" or "health care provider." The definition contained in HB 2060 also contradicts Attorney General's Opinion No. 87-42 which has been endorsed by the State Board of Healing Arts. We were remiss for not informing the House Committee of this technical flaw.

If it is the opinion of this Committee that it is in the best interests of disabled persons to allow chiropractors to sign the required document, then there is an appropriate way of accomplishing that policy goal. Attached to this statement is a

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T&U  
3-19-91

Senate Transportation and Utilities Committee  
Page 2  
March 19, 1991

very simple balloon of amendments to HB 2366 that would authorize any person licensed to practice the healing arts to sign such statement. As you probably know, chiropractors as well as physicians are licensees of the healing arts.

Thank you for considering our concerns. We urge you to recommend HB 2366 for passage and if you should desire to amend the bill, we respectfully request that you do so in the manner outlined in our balloon.

CW/cb

Attachment

olation and for each subsequent violation. All fines assessed and collected under this section shall be remitted promptly to the state treasurer. Upon receipt thereof, the state treasurer shall deposit the entire amount in the state treasury and credit it to the state general fund.

(b) This section shall be part of and supplemental to the Kansas healing arts act.

History: L. 1986, ch. 229, § 20; July 1.

**65-2865.** Rules and regulations; filing. The board shall promulgate all necessary rules and regulations, not inconsistent herewith, for carrying out the provisions of this act, which rules and regulations shall include standards for the dispensing of drugs by persons licensed to practice medicine and surgery. It may also adopt rules and regulations supplementing any of the provisions herein contained but not inconsistent with this act. All rules and regulations promulgated and adopted by the board shall be filed with the secretary of state as required by law.

History: L. 1957, ch. 343, § 65; L. 1979, ch. 198, § 8; L. 1988, ch. 366, § 19; June 1.

**65-2868.**

Attorney General's Opinions:

Persons deemed engaged in the practice of healing arts. 85-92.

→ **65-2869.** Persons deemed engaged in practice of medicine and surgery. For the purpose of this act the following persons shall be deemed to be engaged in the practice of medicine and surgery:

(a) Persons who publicly profess to be physicians or surgeons, or publicly profess to assume the duties incident to the practice of medicine or surgery or any of their branches.

(b) Persons who prescribe, recommend or furnish medicine or drugs, or perform any surgical operation of whatever nature by the use of any surgical instrument, procedure, equipment or mechanical device for the diagnosis, cure or relief of any wounds, fractures, bodily injury, infirmity, disease, physical or mental illness or psychological disorder, of human beings.

(c) Persons who attach to their name the title M.D., surgeon, physician, physician and surgeon, or any other word or abbreviation indicating that they are engaged in the treatment or diagnosis of ailments, diseases or injuries of human beings.

History: L. 1957, ch. 343, § 69; L. 1969, ch. 299, § 14; L. 1976, ch. 273, § 30; L. 1988, ch. 251, § 5; July 1.

Attorney General's Opinions:

Physicians' assistants; advanced registered nurse practitioners; persons authorized to issue prescription orders. 86-125.

Doctors of chiropractic cannot use the term "chiropractic physician." 87-42.

Master level psychologists; supervision; limitations on practice. 87-184.

Persons deemed engaged in practice of chiropractic. 89-91.

**65-2870.**

Attorney General's Opinions:

Doctors of chiropractic cannot use the term "chiropractic physician." 87-42.

**65-2871.**

Attorney General's Opinions:

Doctors of chiropractic cannot use the term "chiropractic physician." 87-42.

Persons deemed engaged in practice of chiropractic. 89-91

**65-2872.**

Attorney General's Opinions:

Persons deemed engaged in the practice of healing arts. 85-92.

Tests for alcohol or drugs; who may administer. 87-64.

Master level psychologists; supervision; limitations on practice. 87-184.

**CASE ANNOTATIONS**

4. Cited; ambulance services as professional services and exempt from bidding requirements in home rule statute (19-214) examined. *Curtis Ambulance v. Shawnee Cty. Bd. of Cty. Com'rs*, 811 F.2d 1371, 1381 (1987).

**65-2873.**

Law Review and Bar Journal References:

"Use of Medical Expert Testimony on Standard Care for Chiropractors," Timothy Short, Vol. VIII, No. 5, J.K.T.L.A. 19 (1985).

**65-2876.**

Law Review and Bar Journal References:

"Should You Take A Chiropractor To Court?," Steven M. Dickson, J.K.T.L.A., Vol. XIII, No. 3, 19, 20 (1990).

**65-2878.** Executive director; appointment; confirmation by senate; employment of administrative assistant and other employees; representation of board by attorney appointed by attorney general. (a) The board shall appoint an executive director, subject to confirmation by the senate as provided in K.S.A. 75-4315b and amendments thereto. The executive director shall be in the unclassified service under the Kansas civil service act and shall receive a salary fixed by the board and approved by the governor. The executive director shall not be a member of the board. Under the supervision of the board, the executive director shall be the chief administrative officer of the board and shall perform such

1 responsible for the transportation of such veteran. Motor vehicles  
 2 displaying the distinctive license plates provided for in this act shall  
 3 be permitted to park in any parking space on public or private  
 4 property which is clearly marked as being reserved for the use of  
 5 ~~handicapped~~ persons *with a disability* or persons responsible for  
 6 the transportation of a ~~handicapped~~ person *with a disability*, except  
 7 a parking space on private property which is clearly marked as being  
 8 reserved for the use of a specified ~~handicapped~~ person *with a*  
 9 *disability*, or park without charge in any metered zone and shall be  
 10 exempt from any time limitation imposed on parking in any zone  
 11 designated for parking, during the hours in which parking is per-  
 12 mitted in any city.

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

18 Sec. 2. K.S.A. 1990 Supp. 8-1,124 is hereby amended to read  
 19 as follows: 8-1,124. As used in this act:

20 ~~(a)~~ "Handicapped person" "*Person with a disability*" means any  
 21 individual with a severe visual or physical impairment or condition,  
 22 which such impairment or condition limits such person's walking  
 23 ability and results in an inability to travel, unassisted more than 200  
 24 feet, without the use of a wheelchair, crutch, walker, prosthetic,  
 25 orthotic or other assistive device; and

26 ~~(b) "physician" means a person licensed to practice medicine and~~  
 27 ~~surgery in this state.~~

*delete*

28 Sec. 3. K.S.A. 1990 Supp. 8-1,125 is hereby amended to read  
 29 as follows: 8-1,125. (a) Any Kansas resident who submits satisfactory  
 30 proof to the director of vehicles, on a form provided by the director,  
 31 that such person is a ~~handicapped~~ person *with a disability* or is  
 32 responsible for the transportation of a ~~handicapped~~ person *with a*  
 33 *disability* shall be issued a special license plate or a permanent  
 34 placard for any motor vehicle owned by such person or shall be  
 35 issued a temporary placard. Satisfactory proof of disability, condition  
 36 or impairment shall include a statement from a ~~physician~~  
 37 Christian Science practitioner listed in The Christian Science Journal cer-  
 38 tifying that such person is a ~~handicapped~~ person *with a disability*.  
 39 The placard shall be suspended immediately below the rear view  
 40 mirror of any motor vehicle used for the transportation of a ~~hand-~~  
 41 ~~icapped~~ person *with a disability* so as to be maximally visible from  
 42 outside the vehicle. In addition to the special license plate or per-  
 43 manent placard, the director of vehicles shall issue to the handi-

( person licensed to practice the  
 healing arts in this state

H-2

1 (b) As of January 1, 1987, any owner of private property available  
 2 for public use establishing a new parking space for the handicapped  
 3 or relocating an existing parking space for the handicapped persons  
 4 with a disability, shall conform to section 4.6.3 of ANSI 117.1-1980,  
 5 a published standard for specifications for making buildings and fa-  
 6 cilities accessible to and usable by physically handicapped people,  
 7 which is available from the American national standards institute,  
 8 1430 Broadway, New York, N.Y. 10018.

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

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

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

20 (b) Violation of subsection (a) is an unclassified misdemeanor pun-  
 21 ishable by a fine of not more than \$50.

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

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

32 (b) Any person who utilizes any handicapped accessible parking  
 33 identification device issued to another person, an agency or a busi-  
 34 ness, to park in any designated handicapped accessible parking  
 35 space, except when transporting or arriving to transport a handi-  
 36 capped person with a disability to whom or for whom the identi-  
 37 fication device was issued shall be guilty of an unclassified  
 38 misdemeanor punishable by a fine not to exceed \$100.

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

( K.S.A. 1990 Supp. 8-1,130 is hereby amended to read as follows:

**8-1,130. Falsely obtaining handicapped identification; penalties.** (a) Any person who willfully and falsely represents that such person has the qualifications to obtain a special license plate, a permanent placard and an individual identification card or temporary placard pursuant to this act shall be guilty of a class C misdemeanor.

(b) Any physician or Christian Science practitioner who willfully and falsely certifies that a person has the qualifications to obtain a special license plate, a permanent placard and an individual identification card or temporary placard pursuant to this act shall be guilty of a class C misdemeanor.

~~History: L. 1986, ch. 36, § 7, L. 1988, ch. 45, § 3, July 1.~~

OTT Sec. 9.

(licensee of the healing arts

(10

and renumber ensuing sections

7-5-

1 one parking space, easily accessible to such building, which is clearly  
 2 marked as being reserved for ~~handicapped~~ persons *with a disability*  
 3 or persons responsible for the transportation of a ~~handicapped~~ per-  
 4 son *with a disability*.

5 Sec. ~~13~~ K.S.A. 58-1311 and K.S.A. 1990 Supp. 8-161, 8-1,124, 14  
 6 8-1,125, 8-1,126, 8-1,127, 8-1,128, 8-1,129, ~~8-1,130a, 8-1,130b, 8-~~ ( 8-1,130,  
 7 1,133 and 32-901 are hereby repealed.

8 Sec. 14. This act shall take effect and be in force from and after  
 9 its publication in the statute book.



# *Kansas Chiropractic*

---

ASSOCIATION

March 19, 1991

TO: Senate Transportation and Utilities Committee

FROM: Joe Furjanic, Executive Director

RE: Support of HB 2366

KCA supports HB 2366. The new definitions in HB 2366 make clear that disabled drivers in the state of Kansas should have access to specially designated parking places.

The intent of HB 2366 is simple and straight forward. Basically, this bill defines "disability" or "disabled person" to fit the common everyday usage of these terms.

HB 2060 is a companion bill to HB 2366. KCA would like the opportunity to present witnesses, testimony and other materials in support of the language changes in HB 2060 regarding the "physician" terminology.

KCA would urge passage of HB 2366 in the form passed by the House Transportation Committee and the Kansas House of Representatives and request a hearing on HB 2060.

ATT. 8  
T&U  
3-19-91

# Kansas Association of Osteopathic Medicine

---

Harold E. Riehm, Executive Director

1260 S.W. Topeka  
Topeka, Kansas 66612  
(913) 234-5563

March 19, 1991

To: Senate Transportation and Utilities Committee  
From: Kansas Osteopathic Association, Harold Riehm, Executive Director  
Subject: House Bill 2366; Accessible Parking for Persons with a Disability

Thank you for this opportunity to express our views on H.B. 2366.

We support language changes proposed, specifically, replacing references to "handicapped" with the more accurate and preferred description of "disabled".

It is our understanding that language of H.B. 2060 may be considered for incorporation into H.B. 2366. If that is done, we also want to indicate our support for an amendment to be proposed by The Kansas Medical Society--the deletion of any reference to chiropractic doctors as "physicians".

A recent Attorney General Opinion (No. 87-42) found that the term "physician" should be used only by those licensed to practice medicine and surgery in Kansas, i.e., medical doctors and osteopathic doctors. In December, the Kansas State Board of Healing Arts endorsed that finding. We think it important to maintain the consistency of that term.

It is our understanding, that if H.B. 2060 is incorporated into 2366, that the Medical Society amendment suggests use of the term "persons licensed to practice the healing arts" in place of physician (which, in that reference, would include chiropractic doctors).

The Osteopathic Association, too, shares concerns of adding to the list of those who may declare disability as a condition of persons receiving a special placard or license plate. As with many issues, it is a case of "where to draw a line" as to who may designate disability and who may not. We think it important that only those truly disabled be so designated.

I will be pleased to respond to any questions the Committee may have.

ATT. 9  
T&U  
3-19-91





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

Office of the Administrator

400 Seventh St., S.W.  
Washington, D.C. 20590March 4, 1991  
Refer to: HCS-20

Ms. Marti Gonzales  
CDL Coordinator  
Kansas Department of Revenue  
Robert B. Docking State Office Building  
Topeka, Kansas 66612-1588

Dear Ms. Gonzales:

Thank you for your February 4 letter in which you request a clarification of the commercial driver's license (CDL) requirements. Specifically, you state your belief that operators of commercial feed yard vehicles cannot qualify for the CDL farmer waiver and request the Federal Highway Administration's (FHWA's) concurrence in your conclusions.

Based on the facts presented in your letter, the FHWA agrees with your conclusions that the operators of commercial feed yard vehicles do not qualify for the CDL farmer waiver.

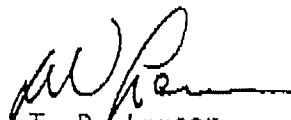
Generally speaking, the regulations apply to anyone who operates a commercial motor vehicle (CMV) on public roads or highways in interstate, intrastate or foreign commerce, including employees of Federal, State and local governments. On various occasions, different groups have requested waivers from the CDL regulations. With limited exceptions, and as required by the Commercial Motor Vehicle Safety Act of 1986, the Federal Highway Administration has concluded that granting such requests would be contrary to the public interest and/or would diminish the safe operation of CMVs.

We have allowed States to waive certain farmers from the CDL requirements. Waivers for farmers would be allowable only when the vehicle driven is controlled and operated by a farmer; used to transport either agricultural products, farm machinery, farm supplies, or any combination thereof to or from a farm; not used in the operations of a common or contract motor carrier; and used within 150 miles of the person's farm.

Your letter indicates that commercial feed yards perform cattle feeding services for cattle owners on a for-hire or contractual basis. Since the farm waiver specifically prohibits the inclusion of common or contract carriers, CMVs operated by commercial feed yards would not be eligible for the farm waiver. While the language contained in the farm waiver does not necessarily prohibit livestock operations from being included, such operations must meet the same waiver criteria as any other farm operation.

I hope this information is helpful.

Sincerely yours,



T. D. Larson  
Administrator

ATT. 10  
T&U  
3-19-91cc: Congressman Pat Roberts  
Senator Don Nickles

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KANSAS DEPARTMENT OF TRANSPORTATION

Gary Stotts  
Secretary of Transportation

Docking State Office Building  
Topeka 66612-1568  
(913) 296-3566

Joan Finney  
Governor of Kansas

Testimony to Senate Transportation Committee

by Gary Stotts, Secretary of Transportation  
March 5, 1991

Mr. Chairman and members of the Committee:

Thank you for the opportunity to comment on Senate Bills 265 and 266. My testimony is not that of a proponent or opponent of the two bills. However, because both bills directly affect the Kansas Department of Transportation and the Secretary of Transportation's powers and duties, I do wish to make some comments.

The intent of these bills, in our understanding, is to assist in preserving local rail freight service. Some of the provisions would be useful in that effort, from KDOT's perspective. There are also provisions which we feel are unneeded, or which represent major public policy decisions which we are not at this time prepared to support. The remaining provisions are, in our view, a codification of authority which is already inherent or implied in the Secretary of Transportation's statutory authority.

**I. LOAN GUARANTEES**

Senate Bill No. 265 deals with state loan guarantees for railroads. This bill would amend the existing statute, K.S.A. 75-5029. That statute, enacted in 1983, authorized the Secretary of Transportation to guarantee a federal government loan to the Mid States Port Authority to help preserve some of the Rock Island lines in Kansas. K.S.A. 75-5030 expressly limited that authority to apply to a federal loan to Mid States. To give effect to that loan guarantee authority, the Legislature also included specific appropriation language in the Department's budget appropriations in 1984. (See Senate Bill 506, 1984 Session Laws Chapter 8; Senate Bill 578, 1984 Session Laws Chapter 9).

In 1989, the legislature amended the loan guarantee statutes to authorize a state guarantee of the refinancing of the original federal loan to Mid States Port Authority. The federal loan was replaced by a loan from a Kansas bank. K.S.A. 75-5029 was amended,

and a new section, K.S.A. 75-5031, was enacted. Based on that authority, the Secretary of Transportation guaranteed a loan for \$6.575 million to Mid States Port Authority by Bank IV-Wichita.

Senate Bill 265 would provide the Secretary of Transportation to enter into additional loan guarantee agreements. The bill does not identify particular rail lines or lenders. It authorizes up to \$5 million in new guarantees in any fiscal year, and sets a total ceiling of \$20 million on the contingent liabilities that may be outstanding at any time.

KDOT's experience with the loan guarantee concept to date has been positive. The Mid States Port Authority loan appears to be well secured, and the operations by Kyle Railroad have been successful. The loan guarantee approach as a means of state involvement in rail line preservation has the advantage of not requiring any expenditure of state funds unless there is a default situation.

However, we are not at this time prepared to recommend additional state loan guarantees for railroad projects. For loan guarantees to work, it is necessary to designate a contingent source of funding. The Mid States loan guarantees were backed, ultimately, by the state highway fund. The railroad rehabilitation loan guarantee fund was created by statute, but no source of revenue for the fund has been provided. If a default occurs, a demand transfer would be required to pay any amounts owed by the state to the lender.

Governor Finney and I are strongly committed to completing the comprehensive highway program. A successful issue of highway bonds is critical to that effort. Any new contingent liabilities for railroad loan guarantees would have the potential to divert resources which are already committed to the highway program, and could send the wrong signals to the bond market. Until this issue is resolved we would not anticipate seeking budget authority placing additional demands on the highway fund.

If this bill is enacted, I would view it as an indication of legislative intent that the Department investigate the need for loan guarantees in order to preserve rail lines in Kansas. The bill would give KDOT a basis for negotiating with the railroad companies, lenders, and other parties, subject to a future budget authorization to implement any tentative agreements that we may determine to be warranted.

In summary, we neither recommend nor oppose enactment of the loan guarantee bill. However, if it is enacted, we recommend amendments to remove the references to specific dollar amounts, to avoid any question but that a separate appropriation bill would be needed before this authority could be implemented.

## II. OTHER POWERS

The second bill, Senate Bill 266 grants authority to the Secretary of Transportation to do a number of different things in terms of rail transportation. Several of these provisions refer to state ownership of railroad lines. We do not presently own any railroads nor do we wish authority to acquire them, so this section is not needed. I would have the same comment with reference to the power to acquire rail lines by eminent domain.

Section 10 provides for obtaining information from railroad companies by subpoena powers. We do not feel this authority is needed. The railroads will supply the data voluntarily if it is not subject to public disclosure under the open records act. This subject is addressed in Section 12 of the bill, which we do believe would be useful to the Department in evaluating proposals to preserve rail service. Section 12 creates an exemption under the Kansas Open Records Act for proprietary railroad company data. This would help to resolve the impasse the department has experienced in obtaining data from railroad companies. We support the enactment of Section 12.

In summary, we view the two proposed bills as statements of legislative policy encouraging continued involvement by the Department of Transportation in rail transportation. Many of the actions authorized by these bills could not be implemented without budget appropriations. I want to assure this Committee that with or without enactment of these bills, KDOT will continue to operate as a multimodal transportation agency, including the rail planning, research, and public assistance functions now being performed by our Bureau of Rail Affairs. KDOT staff will monitor the rail service situation in Kansas and will advise the legislature of any steps we may conclude are needed in order to maintain balanced and effective transportation services in Kansas.