

Approved 4-10-91 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 April 3, 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 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:

Sen. D. Montgomery
Ed Klumpp, Kansans for Highway Safety, Topeka

Hearing and Action on SB 407 - Issuance of restricted drivers' licenses.

Sen. D. Montgomery said he requested this bill because students had been arrested to school for football practice before the school day takes up. The patrolmen have to issue tickets since the law has been broken. These students are required to be at practice before the regular school term begins and they are required to be there during Christmas vacation for practice. This bill would allow them to go to school activities.

The Chairman said he had received a call from the Director of Vehicles and the Director had many concerns about this bill. He said if this bill was passed you might as well open it up for them to drive all the time. It would be hard to enforce.

Ed Klumpp said he was not a paid lobbyist but was a volunteer. He said our 14 and 15 year old children are currently the only ones in any of the 50 states that can have drivers' licenses. He spoke of the accident rate and said almost any activity could be called a school activity. His group opposes the bill. A copy of his statement is attached. (Attachment 1).

A motion was made by Sen. Rock to report SB 407 adversely. Motion was seconded by Sen. Hayden. There was some discussion on whether this subject should be recommended for interim study. Sen. Hayden withdrew his second to the motion. The motion was then seconded by Sen. Doyen. Motion carried.

Action on HB 2348 - Establishing the rail service improvement program.

The committee discussed the rail service improvement program and felt they had already passed a bill which was the version they wanted.

A motion was made by Sen. F. Kerr to amend HB 2348 to substituting SB 265 as it passed the Senate and make the bill Sub. for HB 2348. Motion was seconded by Sen. Doyen. Motion carried.

A motion was made by Sen. Sallee to recommend Sub. for HB 2348 favorably for passage. Motion was seconded by Sen. Kerr. Motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,
room 254-E Statehouse, at 9:02 a.m./~~p.m.~~ on April 3, 1991

Action on SB 45 - License plates for survivors of Pearl Harbor.

A motion was made by Sen. Doyen to recommend SB 45 adversely.
Motion was seconded by Sen. Vidricksen. Motion carried. This concept
had already been passed as HB 2043.

Action on SB 65 - Prohibiting vehicle sales on Sunday.

A motion was made by Sen. Vidricksen to recommend SB 65 adversely.
Motion was seconded by Sen. F. Kerr. Motion carried.

Action on SB 266 - Establishing the rail service improvement program.

A motion was made by Sen. Sallee to recommend SB 266 adversely.
Motion was seconded by Sen. Rock. Motion carried.

Action on SB 255 - Refunds for motor-fuel used in motorboats.

A motion was made by Sen. Hayden to recommend SB 255 adversely.
Motion was seconded by Sen. F. Kerr. Motion carried.

Action on SB 374 - Concerning telecommunications service between ex-
changes.

A motion was made by Sen. Rock to recommend SB 374 adversely.
Motion was seconded by Sen. Hayden. Motion carried.

Action on HB 2060 - Handicapped parking; defining physician.

A motion was made by Sen. Vidricksen to recommend HB 2060 adverse-
ly. Motion was seconded by Sen. Rock. Motion carried.

Action on HB 2209 - Sales of products by blind persons on state high-
ways.

The Chairman had a proposed amendment to HB 2209 which states
the provisions of this section shall not apply to any highway under
the jurisdiction of the Kansas turnpike authority. (Attachment 2).
This is so that it would not affect the leased facilities on the Turn-
pike. A motion was made by Sen. Martin to adopt the proposed amendment.
Motion was seconded by Sen. Hayden. Motion carried.

A motion was made by Sen. Martin to recommend HB 2209 as amended,
favorably for passage. Motion was seconded by Sen. Hayden. Motion
carried.

Action on HB 2165 - Obstruction of highways by trains.

A motion was made by Sen. Sallee to recommend HB 2165 adversely.
Motion was seconded by Sen. Vidricksen. Motion carried.

The Chairman said that five topics had been suggested for interim
study. They are:

1. Dealer license plates and fees, special license plates
(groups wanting special plates.)
2. Signage on highways.
3. Short line railroads and also to include blockage by trains.
4. Monitor Highway Program and bonding for the program.
5. Age to obtain drivers' license and exemptions.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,

room 254-E, Statehouse, at 9:02 a.m./~~p.m.~~ on April 3, 1991

A motion was made by Sen. F. Kerr to recommend the five topics to the LCC for interim study. Motion was seconded by Sen. Sallee. Motion carried.

The Chairman said this concluded the work of the Committee for this session and thanked the members for their work this year. Meeting was adjourned at 9:45 a.m.

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 4-3-91 Place 254-E Time 9:02

GUEST LIST

NAME

ADDRESS

ORGANIZATION

Chris Canfield

TOPEKA

KDOT

Russ Willbourn

"

"

PAUL W. MATTHEWS

OKLA. CITY

HIGHWAY USERS
FEDERATION

Ed Klumpp

TOPEKA

KANSAS FOR
HIGHWAY SAFETY

JACK TIERCE

TOPEKA

KCC

HOWARD FERGUSON

SHAWNEE

UNITED TRANSPORTATION UNION

Rep Don Ryan

Leg

George E. Wappler

Topoka

Blind Leaders

Mary Newbauer

Topoka

Assoc Press

Bill Curtis

Topoka

Ks. Assoc. of School Bds.

Eric Witkoski

Topoka

KCC

John O. Bottenby

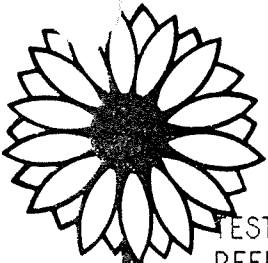
Topoka

Ks Railroad Assoc

Tom Day

TOPEKA

KCC



Kansans for Highway Safety

April 2, 1991

TESTIMONY BEFORE THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES
REFERENCE SENATE BILL NO. 407

Kansans for Highway Safety opposes broadening the current age restriction laws which allow our 14 and 15 year old children to operate motor vehicles. Current Kansas law is the most permissive of any of the 50 states. The statistics are very clear that the accident rate for Kansas 14 and 15 year old drivers are disproportionately high when viewed on a per mile driven basis. Since our 14 and 15 year old drivers currently are not driving many miles as compared to older drivers, this per mile driven method of looking at the teen driving accident statistics is the only realistic way to view that data on a comparative basis. As you can see on the attached charts our accident rate for Kansas 14 and 15 year old drivers are already high. Opening this window of opportunity for this age group will only raise this sad statistic even more and result in an even higher number of our 14 and 15 year olds being killed or injured on our highways and rendered physically incapable of participating in the school events we are so eager to let them drive to attend.

While the intent of encouraging participation in these school functions are good, the hazards created far outweigh the advantages that will be gained. If you look at the chart which shows the accident rate by hour of the day you see that the accident problem experienced by the 14 and 15 year olds is when they are going to and from school. The provision of this bill will expand that problem into the later hours of the day where this age group does not now show a high accident rate.

The current law for the age restriction is a problem for enforcement due to the problems with detecting and prosecuting the rules of "To and from school by the most direct route" and "To, from and during work." The new provision of this bill will make that enforcement even more difficult and add to the confusion already existing among the young drivers and their parents. We have found that many people do not understand the true limits of the current restrictions and this belief is supported by the numerous Attorney General opinions that have dealt with this issue as attempts are made to assist law enforcement, prosecutors and the courts in clearing these misunderstandings.

The only way to lower the accident rate for this age group is to eliminate the licensing and vehicle operation within the age group. Time style restrictions will not help since the majority of the accidents are occurring during the day time hours going to and from school. This problem is not one of inexperience as can be seen on the chart showing that in Nebraska and Iowa where 14 and 15 year olds can't drive, the accident rate actually is lower for the new drivers in those states.

The question that will be raised by this bill are, "What is participation in a school related activity?" Does it include the pep club, the band? What if a teacher decides that he will allow his whole class to attend an activity as spectators? What about school dances and parties? As you can see the list could go on and on. These activities produce the type of environment that is ripe for the negative peer pressure that many are currently expending a lot of efforts to eliminate through programs such as DARE. It is this peer pressure that we find the 14 and 15 year olds are not mature enough to handle leading to poor judgement decisions resulting in accidents.

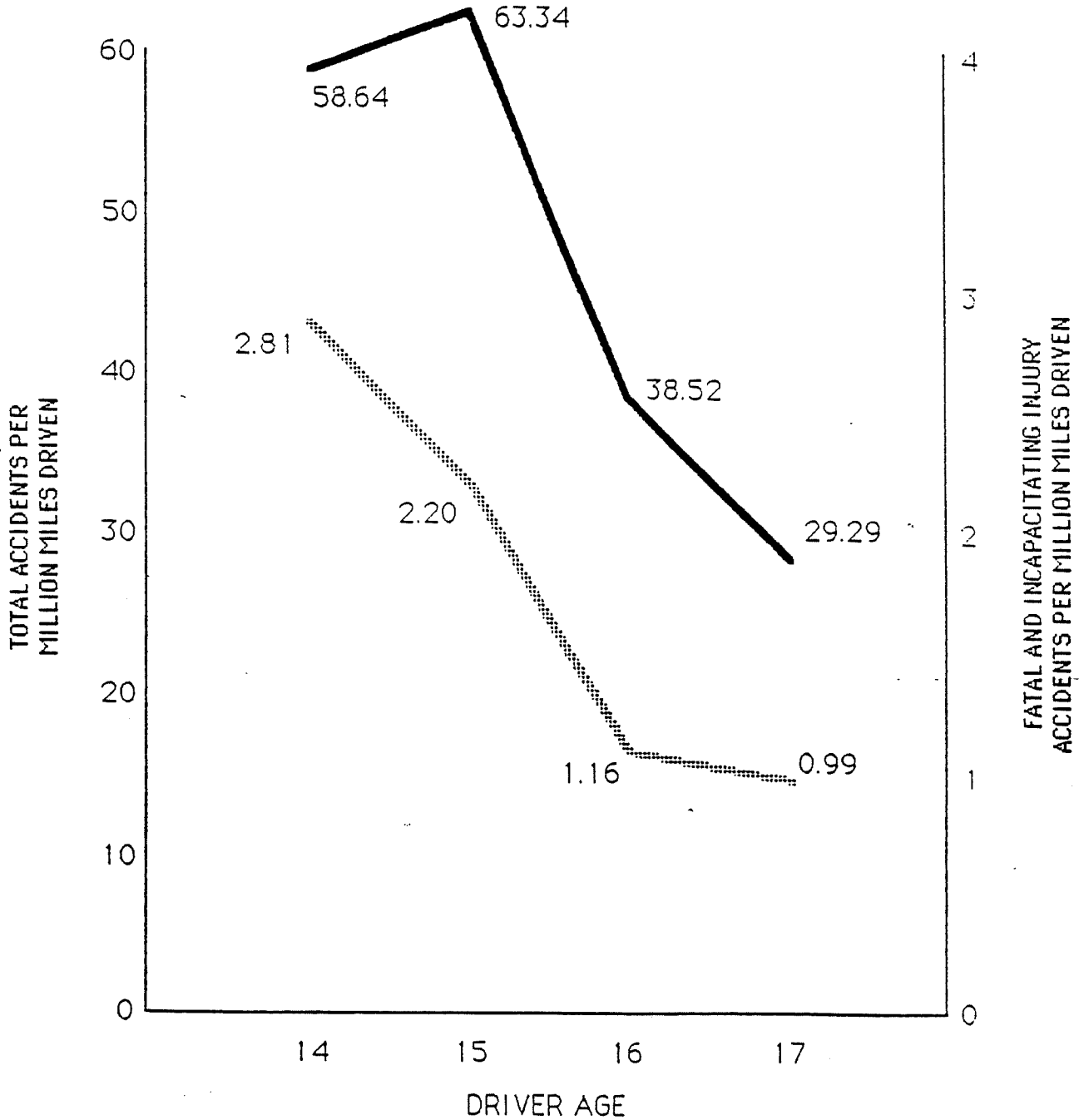
We encourage you to not recommend this bill favorably.

Ed Klumpp, President
4339 SE 21st
Topeka, Kansas 66607
913-235-5619

ATT. 1
T&U
4-3-91

KANSAS MOTOR VEHICLE ACCIDENTS

PER MILLION MILES DRIVEN
1986 THROUGH 1989



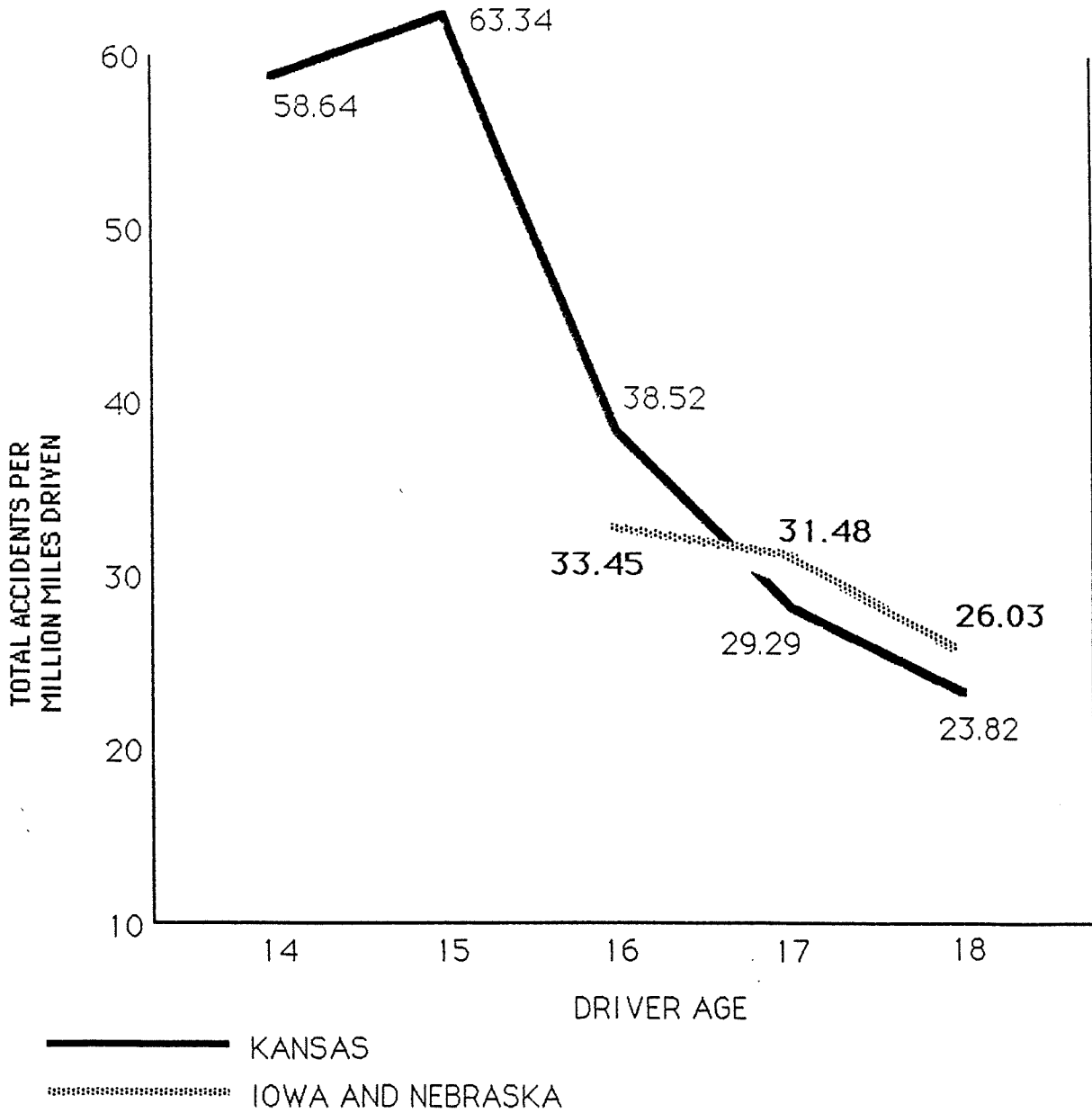
———— ALL ACCIDENTS

..... FATAL AND INCAPACITATING INJURY ACCIDENTS

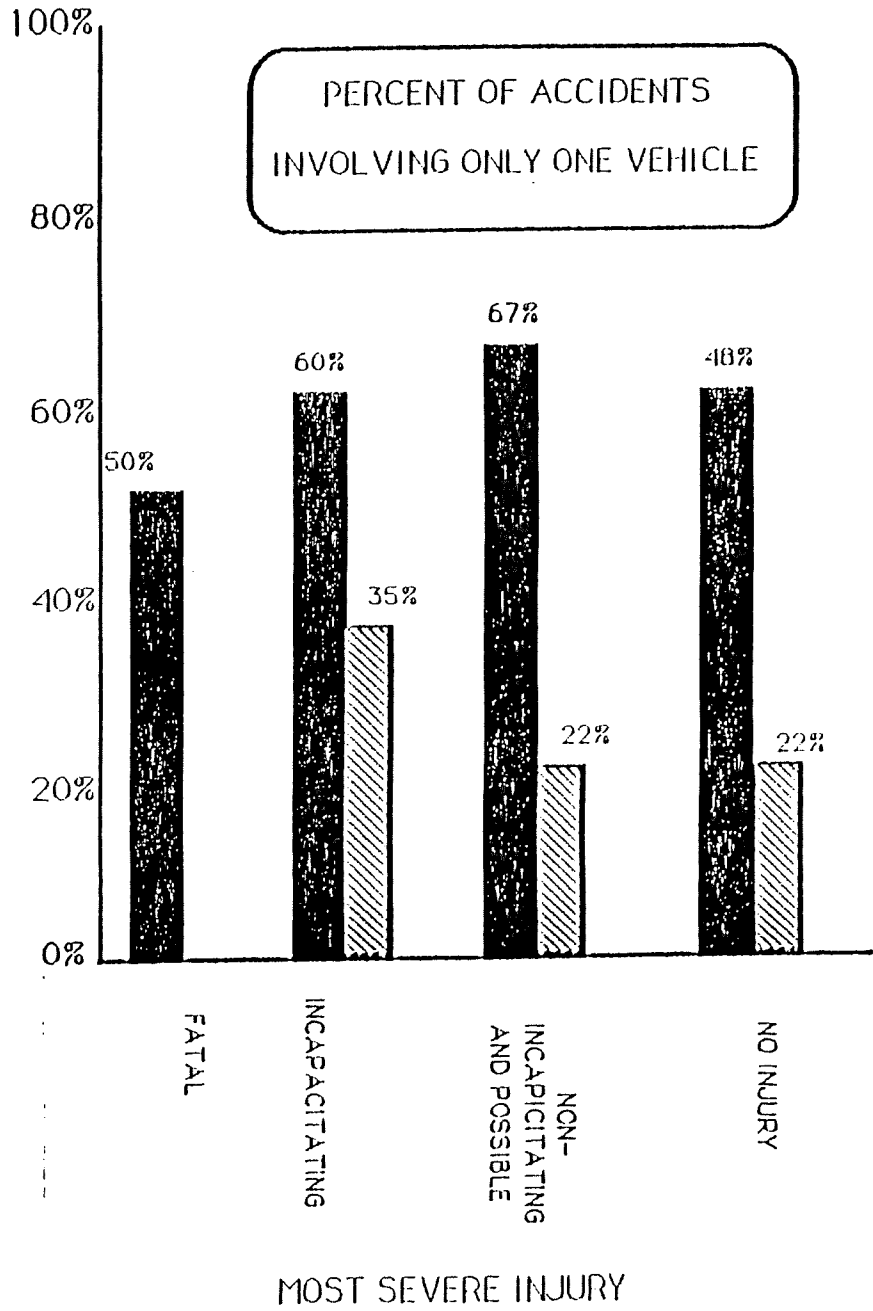
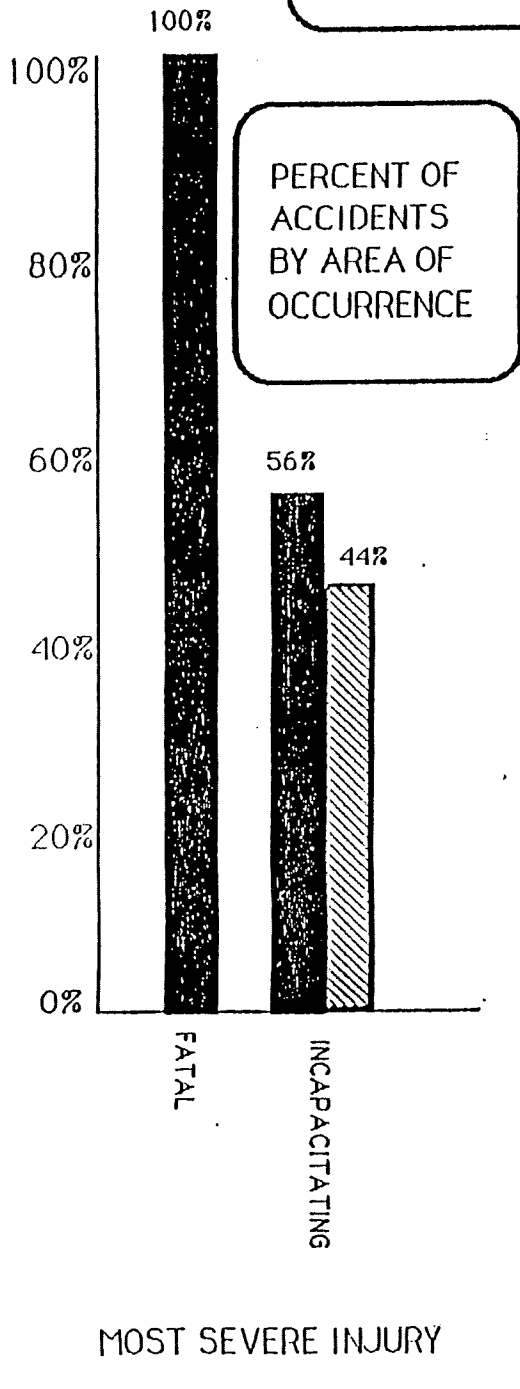
PREPARED BY KANSANS FOR HIGHWAY SAFETY
REVISED 2/9/91

MOTOR VEHICLE ACCIDENTS KANSAS, IOWA & NEBRASKA

PER MILLION MILES DRIVEN



KANSAS MOTOR VEHICLE ACCIDENTS
1986-1988 14 AND 15 YEAR OLD DRIVERS



RESULTS OF TEENAGE DRIVING SURVEY FALL 1990

AGE	AVERAGE ANNUAL MILES PER DRIVER ¹	STUDENTS OWNING VEHICLES ¹	WORK TO SUPPORT DRIVING EXPENSES ¹	LATEST SCHOOL ACTIVITY ¹					LATEST WORK TIME ²				
				Before 10pm	10:00	10:30	11:00	After 11:00	Before 10pm	10:00	10:30	11:00	After 11:00
14	1133	8.8%	31.6%	36.0%	17.5%	6.1%	3.5%	7.0%	79.2%	11.3%	0.0%	5.7%	3.0%
15	1373	13.8%	16.7%	53.9%	21.3%	4.6%	6.3%	2.3%	63.3%	20.0%	3.3%	5.6%	7.8%
16	4572	31.6%	15.3%	29.2%	32.5%	7.2%	6.2%	4.8%	57.9%	19.8%	4.1%	7.4%	10.7%
17	5548	32.8%	19.4%	30.0%	37.8%	5.6%	7.8%	2.8%	53.3%	18.1%	5.3%	9.3%	14.0%
18	5992	45.2%	12.3%	19.2%	38.4%	9.6%	5.5%	0.0%	54.7%	21.9%	7.8%	7.8%	7.8%
TOTAL		25.6%	42.5%	30.5%	40.3%	6.9%	10.9%	9.3%	59.4%	18.6%	4.4%	7.5%	10.0%

¹PERCENTAGE BASED ON TOTAL RESPONDANTS.

²PERCENTAGE BASED ON TOTAL RESPONDANTS STATING THEY WORK.

Survey includes students from rural and urban homes. Half of the surveys were conducted in western Kansas and half were conducted in eastern Kansas.

Latest school activities is based on the percentage of the total students responding to that question on the survey.

Latest work time is based on total students responding as working and responding to the latest hours worked question.

Survey conducted by Kansans for Highway Safety, Rt. 4 Box 241A, Leavenworth, Kansas 66048.

2/9/91

KANSAS TEENAGE DRIVING

ACCIDENTS PER MILLION MILES DRIVEN 1986-1989

AGE	AVG. MILES PER YR PER DRIVER	AVE. NO. OF LICENSED DRIVERS	MILLION MILES DRIVEN/YEAR	AVE. ACCIDENTS PER YEAR	ACCIDENTS PER MILLION MILES	AVE. FATAL AND INCAPACITATING INJURY ACCIDENTS PER YEAR	FATAL AND INCAPACITATING ACCIDENTS PER MILLION MILES
14	1178	5692	6.70	378.00	56.42	18.13	2.71
15	1781	16309	29.05	1418.50	48.83	49.25	1.70
14 & 15		22001	35.75	1796.50	50.25	67.38	1.88
16	4386	24314	106.64	4282.00	40.15	128.88	1.21
17	5163	28287	146.04	4598.00	31.48	154.88	1.06

Drivers license statistics from Kansas Department of Revenue.

Accident statistics from Kansas Department of Transportation.

Average miles driven from student survey conducted by Kansans for Highway Safety during the fall of 1990.

Prepared 1/21/91 by Kansans for Highway Safety, Rt. 4 Box 241A, Leavenworth, Kansas 66048

DRIVERS LICENSE LAWS

STATE	LEARNING PERMIT	MINIMUM AGE FOR REST. LIC.	MINIMUM AGE FOR FULL LICENSE	RESTRICTIONS	DRIVER'S ED
ALABAMA	15		16	NONE	RECOMMENDED BUT NOT REQUIRED.
ALASKA	14	14	16	PARENTAL CONSENT REQUIRED IF UNDER 18. UNDER 16 ONLY FOR HARDSHIP CASES.	NOT REQUIRED.
ARIZONA	15 7mos		18	PARENTAL CONSENT REQUIRED IF UNDER 18.	NOT REQUIRED.
ARKANSAS	14	14	16	UNDER 16 ONLY WITH LICENSED ADULT.	NOT REQUIRED.
CALIFORNIA	18		18	UNDER 18 FOR HARDSHIP CASES. FULL LICENSE AT 16 WITH DRIVER'S EDUCATION.	NOT REQUIRED.
COLORADO	15 6mos	16	18	STEP PROGRAM. MINOR (16-17), PROVISIONAL (18-20), ADULT (21 AND OVER).	REQUIRED UNDER 18.
CONNECTICUT	16 1mo	16 1mo	18	NONE	REQUIRED UNDER 18.
DELEWARE	18		18	AGE 16 AND ABOVE WITH DRIVERS ED.	REQUIRED UNDER 18.
DIST. OF COL.	16		16	UNDER 18 ONLY WITH PARENTAL PERMISSION.	NOT REQUIRED.
FLORIDA	15	15	16	UNDER 16 DAYTIME ONLY. UNDER 16 ONLY WITH LICENSED ADULT.	NOT REQUIRED.
GEORGIA	15		16		NOT REQUIRED.
HAWAII	15		15		NOT REQUIRED.
IDAHO	16	14	16	UNDER 16 DAYLIGHT HOURS ONLY.	REQUIRED UNDER 16.
ILLINOIS	15		16		REQUIRED UNDER 18.
INDIANA	16		16		NOT REQUIRED.
IOWA	14	16	18	UNDER 18 ONLY FOR JOB RELATED WITH VERIFIED EMPLOYMENT.	REQUIRED UNDER 18.
KANSAS	14	14	16	TO, FROM, DURING WORK; TO, FROM SCHOOL; WITH ADULT LICENSED DRIVER.	NOT REQUIRED.
KENTUCKY	16		16		NOT REQUIRED.
LOUISIANA	15	15	17	UNDER 17 ONLY 5AM TO 11 PM SUNDAY-THURSDAY; 5AM TO 12 MIDNIGHT FRIDAY & SATURDAY	NOT REQUIRED.
MAINE	15		15		REQUIRED UNDER 17.
MARYLAND	15 9mos	15 9mos	16	UNDER 18 NO NIGHT DRIVING UNLESS WITH ADULT LICENSED DRIVER OR COMPLETED ONE YEAR OF CONVICTION FREE DRIVING.	REQUIRED UNDER 18.
MASSACHUSETTS	16	16	18	UNDER 18 NO DRIVING BETWEEN 1AM AND 4AM WITHOUT PARENT OR GUARDIAN.	REQUIRED UNDER 21.
MICHIGAN	16	14	18	AGES 14 THROUGH 17 FOR EXTENUATING CIRCUMSTANCES ONLY.	REQUIRED UNDER 18.
MINNESOTA	15	15	16	UNDER 16 FOR EXTENUATING CIRCUMSTANCES ONLY, INCLUDING FARM WORK BASED ON NEED.	REQUIRED UNDER 18.
MISSISSIPPI	15		15		NOT REQUIRED.
MISSOURI	16		16		NOT REQUIRED.
MONTANA	14	14	15	UNDER 14 HARDSHIP CASES ONLY.	REQUIRED UNDER 16.
NEBRASKA	15		16		NOT REQUIRED.
NEVADA	15 6mos	14	16	UNDER 16 ONLY WITH VERIFIED NEED.	NOT REQUIRED.
NEW HAMPSHIRE			18		REQUIRED UNDER 18.
NEW JERSEY	16	16	17	UNDER 17 DAYLIGHT ONLY, WITH LICENSED ADULT DRIVER.	REQUIRED UNDER 17.
NEW MEXICO			15		REQUIRED UNDER 16.
NEW YORK	16	16	18		REQUIRED TO APPLY FOR LICENSE.
NORTH CAROLINA	15	15	16	ONLY WITH PARENT OR GUARDIAN IN VEHICLE. PERMIT OBTAINED BY PARENT OR GUARDIAN.	REQUIRED UNDER 18.
NORTH DAKOTA	14	14	16	PARENT OR GUARDIAN VEHICLE ONLY.	REQUIRED UNDER 16.
OHIO	14	14	16	UNDER 16 ONLY FOR EXTENUATING CIRCUMSTANCES.	REQUIRED UNDER 18.
OKLAHOMA	15 6mos		16		NOT REQUIRED.
OREGON	15	14	16	UNDER 16 ONLY FOR EXTENUATING CIRCUMSTANCES.	NOT REQUIRED.
PENNSYLVANIA	16	16	18	UNDER 18 5AM TO MIDNIGHT WITH PARENTS, GUARDIAN, OR SPOUSE.	NOT REQUIRED.
RHODE ISLAND	16	15	18	UNDER 18 WITH PARENTS APPROVAL.	REQUIRED UNDER 18.
SOUTH CAROLINA	15	15	16	UNDER 16 6AM TO 6PM; 6PM TO 6AM WITH LICENSED ADULT.	NOT REQUIRED.

DRIVERS LICENSE LAWS

STATE	LEARNING PERMIT	MINIMUM AGE FOR REST. LIC.	MINIMUM AGE FOR FULL LICENSE	RESTRICTIONS	DRIVER'S ED
SOUTH DAKOTA	14	14	16	UNDER 16 6AM TO 8PM; OTHER TIMES WITH PARENT OR GUARDIAN.	NOT REQUIRED.
TENNESSEE	15	14	16	EXTENUATING CIRCUMSTANCES ONLY.	NOT REQUIRED.
TEXAS	15	15	16	EXTENUATING CIRCUMSTANCES ONLY.	REQUIRED UNDER 18.
UTAH	16		16		REQUIRED TO APPLY FOR LICENSE.
VERMONT	15	16	18	PARENTAL CONSENT.	REQUIRED UNDER 18.
VIRGINIA	15 8mos		16		REQUIRED UNDER 18.
WASHINGTON	15		16		REQUIRED UNDER 18.
WEST VIRGINIA	16		18	UNDER 18 MUST BE IN SCHOOL.	REQUIRED UNDER 18.
WISCONSIN	15 8mos	14	16	EXTENUATING CIRCUMSTANCES ONLY.	REQUIRED UNDER 18.
WYOMING	15		16		REQUIRED.
PUERTO RICO	16	16	18	ONLY WITH PARENTAL CONSENT. UNDER 18 PASSENGER CAR ONLY.	REQUIRED.

SOURCE: JANUARY 1990 EDITION OF POLK'S MOTOR VEHICLE REGISTRATION MANUAL, VOLUME 1.

RESTRICTIONS IMPOSED ON 14 YEAR OLD DRIVERS

STATE	REST. LIC.	RESTRICTIONS
ALASKA	14	PARENTAL CONSENT REQUIRED IF UNDER 18. UNDER 16 ONLY FOR HARDSHIP CASES.
ARKANSAS	14	UNDER 16 ONLY WITH LICENSED ADULT.
IDAHO	14	UNDER 16 DAYLIGHT HOURS ONLY.
KANSAS	14	TO, FROM, DURING WORK; TO, FROM SCHOOL; WITH ADULT LICENSED DRIVER.
MICHIGAN	14	AGES 14 THROUGH 17 FOR EXTENUATING CIRCUMSTANCES ONLY.
MONTANA	14	UNDER 14 HARDSHIP CASES ONLY.
NEVADA	14	UNDER 16 ONLY WITH VERIFIED NEED.
NORTH DAKOTA	14	PARENT OR GUARDIAN VEHICLE ONLY.
OHIO	14	UNDER 16 ONLY FOR EXTENUATING CIRCUMSTANCES.
OREGON	14	UNDER 16 ONLY FOR EXTENUATING CIRCUMSTANCES.
SOUTH DAKOTA	14	UNDER 16 6AM TO 8PM; OTHER TIMES WITH PARENT OR GUARDIAN.
TENNESSEE	14	EXTENUATING CIRCUMSTANCES ONLY.
WISCONSIN	14	EXTENUATING CIRCUMSTANCES ONLY.

SOURCE: JANUARY 1990 POLK'S MOTOR VEHICLE REGISTRATION MANUAL, VOLUME 1.

RESTRICTIONS IMPOSED ON 15 YEAR OLD DRIVERS

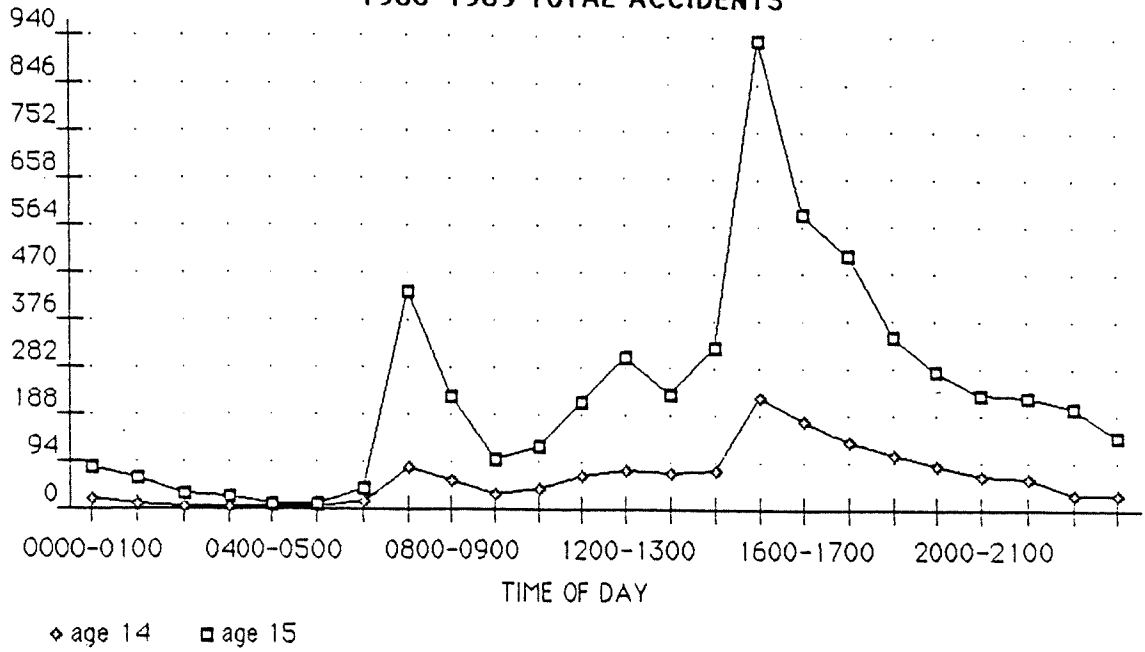
STATE	REST. LIC.	RESTRICTIONS
FLORIDA	15	UNDER 16 DAYTIME ONLY. UNDER 16 ONLY WITH LICENSED ADULT.
LOUISIANA	15	UNDER 17 ONLY 5AM TO 11 PM SUNDAY-THURSDAY; 5AM TO 12 MIDDNIGHT FRIDAY & SATURDAY
MINNESOTA	15	UNDER 16 FOR EXTENUATING CIRCUMSTANCES ONLY, INCLUDING FARM WORK BASED ON NEED.
NORTH CAROLINA	15	ONLY WITH PARENT OR GUARDIAN IN VEHICLE. PERMIT OBTAINED BY PARENT OR GUARDIAN.
RHODE ISLAND	15	UNDER 18 WITH PARENTS APPROVAL.
SOUTH CAROLINA	15	UNDER 16 6AM TO 6PM; 6PM TO 6AM WITH LICENSED ADULT.
TEXAS	15	EXTENUATING CIRCUMSTANCES ONLY.

SOURCE: JANUARY 1990 POLK'S MOTOR VEHICLE REGISTRATION MANUAL, VOLUME 1.

KANSAS MOTOR VEHICLE ACCIDENTS BY TIME OF DAY 14 AND 15 YEAR OLD DRIVERS

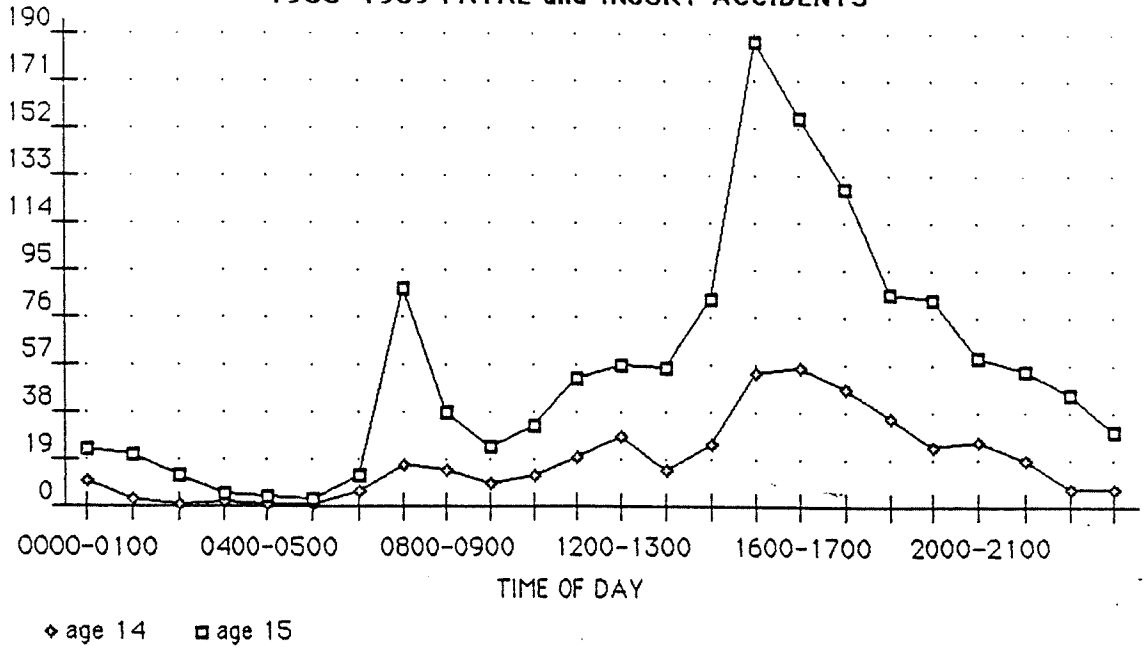
NUMBER OF ACCIDENTS

1985-1989 TOTAL ACCIDENTS



NUMBER OF ACCIDENTS

1985-1989 FATAL and INJURY ACCIDENTS



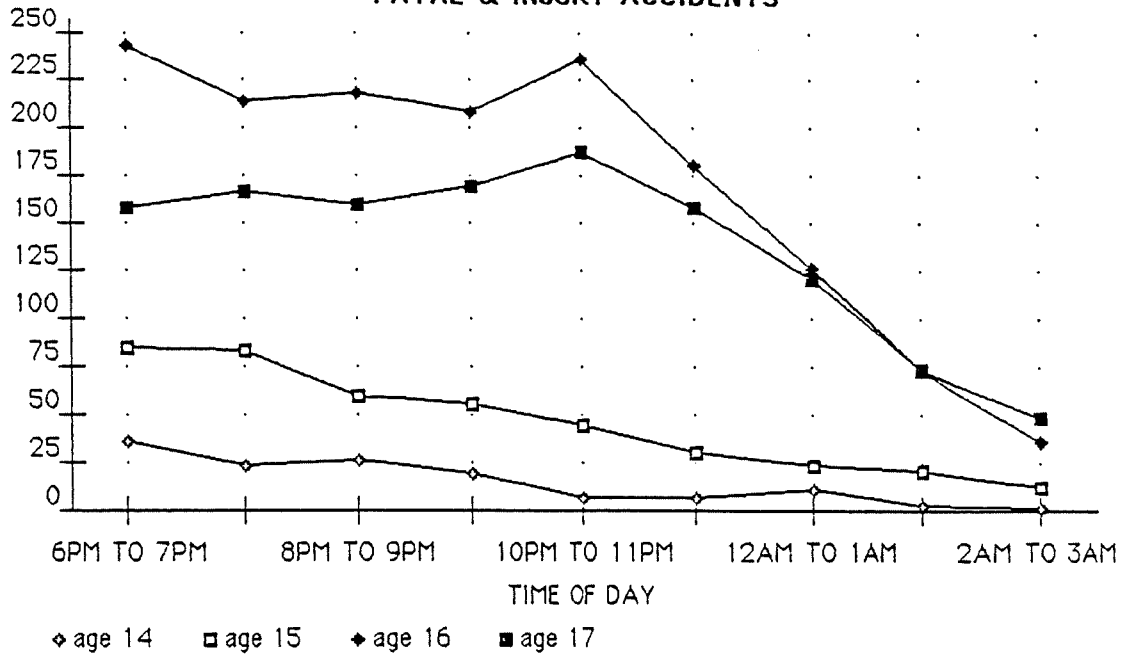
PREPARED BY KANSAS FOR HIGHWAY SAFETY 3/91

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FATAL & INJURY ACCIDENTS



PROPOSED AMENDMENT TO HB 2209

(c) The provisions of this section shall not apply to any highway under the jurisdiction of the Kansas turnpike authority.