

Approved 2-10-92  
Date

MINUTES OF THE House COMMITTEE ON Transportation

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

1:37 a/m/p.m. on January 30, 1992 in room 519-S of the Capitol.

All members were present except:

Committee staff present:

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

Conferees appearing before the committee:

Mark Burghart - Department of Revenue  
Betty McBride - Director, Division of Vehicles  
Tommy McGeeney - President of the Kansas Independent Automobile  
Dealers Assoc.  
Pam Somerville - Government Affairs Director - Kansas Motor Car  
Dealers Assoc.  
Pat Wiechman - Executive Secretary - Kansas Automotive Dismantlers  
and Recyclers Assoc.  
Captain Terry Scott - Kansas Highway Patrol  
Michael D. Brown - RN - Children's Advocate  
Paula F. Marmet - M.S., R.D. Director, Office of Chronic Disease  
and Health Promotion

Chairman Dillon announced that the Sub-Committee on House Bill 2628 will meet Wednesday morning at 7:30 A.M., February 5, 1992.

Discussion on a proposed amendment to Senate Bill 489 by Carfax Inc.

Mark Burghart of the Department of Revenue explained that the Department interprets Senate Bill 489 to apply equally to all parties who request titles and registration information in bulk from the Division of Vehicles. Thus, Carfax Inc., will not be treated differently from R. L. Polk & Co.

Representative Gross moved to reconsider the Committee's action taken on Senate Bill 489 January 29, 1992. Representative Webb seconded. Motion carried.

Representative Garner moved to remove the amendment on Senate Bill 489. Representative Lawrence seconded. Motion carried.

Representative Shore moved to pass Senate Bill 489 out favorably. Representative Correll seconded. Motion Carried.

Testimony on House Bill 2764 - Temporary license for vehicle salesman

Chairman Dillon called on Pam Somerville who testified in support of House Bill 2764. (Attachment 1)

Chairman Dillon called on Tommy McGeeney who also testified in support of House Bill 2764. (Attachment 2)

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,  
room 519-S, Statehouse, at 1:37 a.m./p.m. on January 30, 1992

Betty McBride said the Division of Vehicles supported HB 2764 but favored a provision which would give the Division 30 days to conduct a background check on a motor vehicle salesman. She said previously one state agency who conducted background checks had difficulty getting them done in a 30 day period. She noted that the Division is using a different agency which enables the Division to complete the necessary background checks in a 30 day period.

**Testimony on House Bill 2765 - Exempting certain vehicles from mileage disclosure on certificates of title.**

Chairman Dillon called on Pam Somerville who testified in support of House Bill 2765. (Attachment 3)

Chairman Dillon called on Tommy McGeeney who also testified in support of House Bill 2765. (Attachment 4)

Chairman Dillon called on Pat Wiechman who testified in support of HB 2765. (Attachment 5)

Betty McBride stated the Department supports HB 2765 and asked the Committee for favorable consideration.

**Testimony on House Bill 2766 - Child passenger safety act, passenger car.**

Chairman Dillon called on Captain Terry Scott who testified in support of House Bill 2766. (Attachment 6)

Chairman Dillon called on Michael D. Brown who also testified in support of House Bill 2766. (Attachment 7)

Chairman Dillon called on Paula F. Marmet who testified in support of House Bill 2766. (Attachment 8)

Discussion and questions followed the above testimonies.

Meeting adjourned at 2:29 P.M.

GUEST LIST

COMMITTEE: HOUSE TRANSPORTATION COMMITTEE

DATE: 1-30-92

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
PAT BARNES	TOPEKA	CORFAX, Inc.
MARK A. BURGHART	"	REVENUE
L.N. COLLIER	"	Revenue
Michael D. Bloom	"	self
Bud Koehler	Burlington Ks	KSNP-FM-95
Jaquie Oates	Topeka	KIADH
Tommy McGREENEY	TOPEKA	KIADH
Tom Somerville	TOPEKA	KS Motor Car Dir's
Betty McBride	Topeka	Dept of Revenue
Rick Scheibe	Topeka	KDoR
Ken Clark	Topeka	KDoR
Paula Mansuet	TOPEKA	KDHZ
Russell Willbourn	"	KDOT
Capt. TERRY J. SCOTT	Topeka	K.H.P.
Billie D. Vining	Valley Center	RTL of KS
Clota Remyer	Sabetha	Right to Life of KS
Jane Teece	KCOVE	Topeka



KANSAS MOTOR CAR DEALERS ASSOCIATION

800 Jackson, Suite 808 • Topeka, Kansas 66612 • (913) 233-6456 • (800) 748-8201 (KS only) • FAX (913) 233-1462

January 30, 1992

TO: The Honorable Herman G. Dillon, Chairman  
House Transportation Committee

FROM: Pam Somerville, Government Affairs Director

RE: House Bill 2764

Mr. Chairman and members of the committee. I am Pam Somerville, Government Affairs Director for the Kansas Motor Car Dealers Association.

House Bill 2764 is simply a clean-up bill. In 1983, K.S.A. 8-2407 authorizing temporary permits for motor vehicle salesmen was repealed along with the permanent licensing statute. In 1985, the salesman licensing provisions were reinstated; however, the temporary permit portion was overlooked. The Division of Vehicles continued to issue temporary permits until this summer when it was discovered that the provision no longer existed. As a result, I appear before you today and ask for your support of HB 2764.

I would point out at this time, two changes reflected in the bill that were not contained in the original language repealed in 1983. First, page 1, lines 14-15

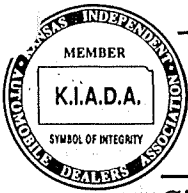
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House Transportation  
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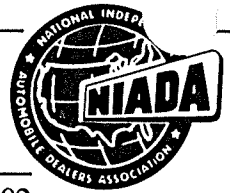
references "provided the salesman is under direct supervision whenever any sale for a vehicle is conducted." The Kansas Motor Car Dealers felt it important to indicate that salesman in dealerships are under supervision of either the dealer principal, a sales manager or a general manager.

The second change is reflected in line 17 with no reference to a time limit a temporary license is granted. During our discussion with the Division of Vehicles, it was pointed out that the background checks conducted for issuance of the license generally was not received in 30 days, but more often 45-60 days. Therefore, we eliminated the thirty day reference.

This concludes my testimony on HB 2764. Thank you for the opportunity to appear in support of this bill.



# KANSAS INDEPENDENT AUTOMOBILE DEALERS ASSOCIATION



Citizens Bank & Trust Building • 6th & Humboldt • Manhattan, Kansas 66502  
Phone: 913-776-0044 FAX: 913-776-7085

January 30, 1992

TO: HOUSE COMMITTEE ON TRANSPORTATION

SUBJECT: HB 2764--PROVIDING FOR A TEMPORARY LICENSE  
FOR VEHICLE SALESMAN

FROM: KANSAS INDEPENDENT AUTOMOBILE DEALERS ASSOCIATION

Mr. Chairman and Members of the Committee:

I am Tommy McGeeney, President of the Kansas Independent Automobile Dealers Association, representing over 200 used car dealers.

We appear today in favor of this bill providing for temporary licensing for Vehicle Salesman.

One of the most important reasons for passing this bill is to enable the salesman to file for an original application for licensing or to move from one dealership to another without impeding his ability to earn a living. The way it is now, all he gets is a receipt for his transfer application.

Although I do not know how much enforcement there is, the salesman and his dealership technically may be operating outside the law without this temporary permit.

Thank you for your time.

*House Transportation  
1-30-92*

*ATTACHMENT 2*

*Individually we struggle to be heard—Collectively we cannot be ignored.*



KANSAS MOTOR CAR DEALERS ASSOCIATION

800 Jackson, Suite 808 • Topeka, Kansas 66612 • (913) 233-6456 • (800) 748-8201 (KS only) • FAX (913) 233-1462

January 30, 1992

TO: The Honorable Herman G. Dillon, Chairman  
House Transportation Committee

FROM: Pam Somerville, Government Affairs Director  
Kansas Motor Car Dealers Association

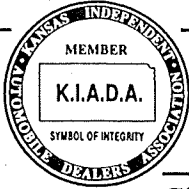
RE: House Bill 2765  
Odometer exemptions

Mr. Chairman and members of the committee. I appear before you today in support of House Bill 2765 which would enable Kansas to mirror the exemptions provided by the Federal Truth in Mileage Act of 1986. Those exemptions are vehicles 10 model years and older and heavy trucks more than 16,000 pounds from the federal odometer requirements. Currently, 39 states have adopted the 10 year old and older exemption and 37 states have adopted the 16,000 pound heavy trucks.

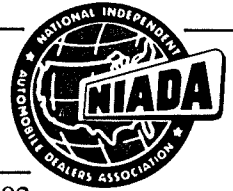
I would point out, Mr. Chairman, that this does not mean that mileage will no longer be contained on titles, but simply that the additional odometer disclosure statement will not be filled out by the seller. The mileage will still be reflected on Kansas titles.

Again, thank you for the opportunity to appear before you today. I would be happy to respond to questions.

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*1-30-92*  
*ATTACHMENT 3*  
*3-1*



# KANSAS INDEPENDENT AUTOMOBILE DEALERS ASSOCIATION



Citizens Bank & Trust Building • 6th & Humboldt • Manhattan, Kansas 66502  
Phone: 913-776-0044 FAX: 913-776-7085

January 30, 1992

TO: HOUSE COMMITTEE ON TRANSPORTATION

SUBJECT: HB 2765--RELATING TO VEHICLES: CONCERNING  
CERTIFICATES OF TITLE

FROM: KANSAS INDEPENDENT AUTOMOBILE DEALERS ASSOCIATION

Mr. Chairman and Members of the Committee:

I am Tommy McGeeney, President of the Kansas Independent Automobile Dealers Association, representing over 200 used car dealers.

On August 1, 1988, NHTSA made a ruling that vehicles that are 10 model years or older and trucks with a gross vehicle weight of more than 16,000 pounds shall be exempt from the mileage reporting and disclosure requirements of both buyer and seller.

This is a federal ruling, and at this time Kansas is only one of six states that is not following the rule. I believe that we should be in compliance. We were one of the first to be on line with a conforming title. Yet, we have been dragging our feet on this issue. The feds say we should do it, and we do about everything else that they want us to do. I do not understand--especially when the states around us such as Missouri are in compliance.

If this is the rule, then we urge this HB 2765 be passed and put into effect.

Thank you for your time and consideration.

*Individually we struggle to be heard—Collectively we cannot be ignored.*

*House Transportation  
1-30-92*

*ATTACHMENT 441*



CERTIFICATE OF TITLE

TITLE NUMBER  
AM251046

03921AJ692

ORIGINAL

VEHICLE IDENTIFICATION NUMBER	YEAR	MAKE	MODEL	BODY STYLE	FUEL
<b>1G4AM47A6CH189267</b>	<b>82</b>	<b>BUIC</b>	<b>REGAL</b>	<b>TUDOR</b>	<b>G</b>
CYL HP PREVIOUS STATE	MILEAGE AT TIME OF TRANSFER	TAX	PURCHASE DATE	DATE ISSUED	
<b>6 34</b>	<b>*</b>	<b>PAID</b>	<b>10/14/91</b>	<b>10/23/91</b>	

OWNER

SPANGGAARD PETER & SORENSEN LARS WENDT  
300 W LOUIS ST  
ST JOSEPH MO 64501

MAIL TO

SPANGGAARD PETER & SORENSEN LARS WENDT  
300 W LOUIS ST  
ST JOSEPH MO 64501

VEHICLE SUBJECT TO FOLLOWING LIEN(S)

RELEASE OF LIEN-The holder of lien on the vehicle described in this certificate of title does hereby state that the lien described in said certificate of title is released and discharged.

FIRST LIEN

LIEN DATE

NAME OF FIRM

SIGNATURE OF AUTHORIZED AGENT

DATE RELEASED:

NAME OF FIRM

SECOND LIEN

SIGNATURE OF AUTHORIZED AGENT

DATE RELEASED:

MILEAGE STATEMENT

\*EXEMPT FROM MILEAGE REQUIREMENTS

C13586465

MO 860-0331 (11-89)

*Raymond J. Wagner, Jr.*  
DIRECTOR OF REVENUE



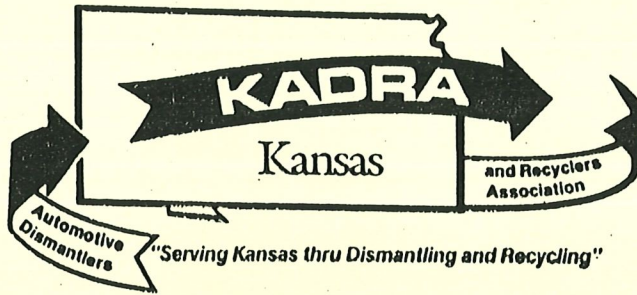
DOR-387 (11-89)

ANY ALTERATION OR ERASURE VOIDS THIS TITLE

B7u  
#2

**INSTRUCTION:** Federal law (and State law, if applicable) requires that all seller(s) state the mileage in connection with the transfer of ownership. Failing to complete or provide this information may result in fines and/or imprisonment. All owners must sign as SELLERS AFTER the PURCHASER(S) NAME, LIENHOLDER, SALE PRICE, DATE OF SALE AND RELEASED before purchaser applies for a new Certificate of Title. ALL PURCHASERS MUST SIGN. If purchaser/seller is an agent/officer of a firm, record official position and name of firm. If purchaser/seller is an individual, record official position and name. If purchaser/seller is an individual, record official position and name. If purchaser/seller is an individual, record official position and name. If purchaser/seller is an individual, record official position and name.

ASSIGNMENT	PURCHASER(S) NAME (PRINTED OR TYPED) Polsky Motors Inc.		SALE PRICE: \$
	ADDRESS 1701 Frederick Ave., St. Joseph, MO 64501		DATE OF SALE: 12-4-92
	LIENHOLDER(S) NAME (PRINTED OR TYPED)		DATE OF LIEN:
	ADDRESS		
	ODOMETER READING (NO TENTHS) 84165	I state that the odometer now reads the aforementioned miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein, unless one of the following statements is checked.	<input type="checkbox"/> MILEAGE IN EXCESS OF ITS MECHANICAL LIMITS <input type="checkbox"/> MILEAGE READING IS NOT ACTUAL (WARNING-ODOMETER DISCREPANCY)
SIGNATURE OF ALL PURCHASER(S) <i>[Handwritten signatures]</i>		SIGNATURE OF ALL SELLER(S) <i>[Handwritten signatures]</i>	
HAND PRINTED NAME(S) BY PURCHASER(S) (AGENT/POSITION) Polsky Motors Inc. <i>[Handwritten: Tombricke Fitchell]</i>		HAND PRINTED NAME(S) BY SELLER(S) (AGENT/POSITION) <i>[Handwritten: Peter Spangard Lars Sorenson]</i>	DEALER NO. 668
REASSIGNMENT BY REGISTERED DEALER	PURCHASER(S) NAME (PRINTED OR TYPED) Innovative Auto Marketing		SALE PRICE: \$
	ADDRESS 4200 S. Topeka Topeka, KS		DATE OF SALE: 1-9-92
	LIENHOLDER(S) NAME (PRINTED OR TYPED)		DATE OF LIEN:
	ADDRESS		
	ODOMETER READING (NO TENTHS) 84169	I state that the odometer now reads the aforementioned miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein, unless one of the following statements is checked.	<input type="checkbox"/> MILEAGE IN EXCESS OF ITS MECHANICAL LIMITS <input type="checkbox"/> MILEAGE READING IS NOT ACTUAL (WARNING-ODOMETER DISCREPANCY)
SIGNATURE OF ALL PURCHASER(S) <i>[Handwritten: Mike Miller]</i>		SIGNATURE OF ALL SELLER(S) <i>[Handwritten: Tombricke Fitchell]</i>	
HAND PRINTED NAME(S) BY PURCHASER(S) (AGENT/POSITION) <i>[Handwritten: Mike Miller]</i>		HAND PRINTED NAME(S) BY SELLER(S) (AGENT/POSITION) <i>[Handwritten: Tombricke Fitchell]</i>	DEALER NO. <i>[Handwritten: 668]</i>
REASSIGNMENT BY REGISTERED DEALER	PURCHASER(S) NAME (PRINTED OR TYPED)		SALE PRICE: \$
	ADDRESS		DATE OF SALE:
	LIENHOLDER(S) NAME (PRINTED OR TYPED)		DATE OF LIEN:
	ADDRESS		
	ODOMETER READING (NO TENTHS)	I state that the odometer now reads the aforementioned miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein, unless one of the following statements is checked.	<input type="checkbox"/> MILEAGE IN EXCESS OF ITS MECHANICAL LIMITS <input type="checkbox"/> MILEAGE READING IS NOT ACTUAL (WARNING-ODOMETER DISCREPANCY)
SIGNATURE OF ALL PURCHASER(S)		SIGNATURE OF ALL SELLER(S)	
HAND PRINTED NAME(S) BY PURCHASER(S) (AGENT/POSITION)		HAND PRINTED NAME(S) BY SELLER(S) (AGENT/POSITION)	DEALER NO.
REASSIGNMENT BY REGISTERED DEALER	PURCHASER(S) NAME (PRINTED OR TYPED)		SALE PRICE: \$
	ADDRESS		DATE OF SALE:
	LIENHOLDER(S) NAME (PRINTED OR TYPED)		DATE OF LIEN:
	ADDRESS		
	ODOMETER READING (NO TENTHS)	I state that the odometer now reads the aforementioned miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein, unless one of the following statements is checked.	<input type="checkbox"/> MILEAGE IN EXCESS OF ITS MECHANICAL LIMITS <input type="checkbox"/> MILEAGE READING IS NOT ACTUAL (WARNING-ODOMETER DISCREPANCY)
SIGNATURE OF ALL PURCHASER(S)		SIGNATURE OF ALL SELLER(S)	
HAND PRINTED NAME(S) BY PURCHASER(S) (AGENT/POSITION)		HAND PRINTED NAME(S) BY SELLER(S) (AGENT/POSITION)	DEALER NO.



## HOUSE TRANSPORTATION COMMITTEE

January 30, 1992

House Bill No. 2765

Mr. Chairman, Members of the Committee:

I am Pat Wiechman, executive secretary for the Kansas Automotive Dismantlers and Recyclers Association.

Unknown to many, Kansas has long been a leader in vehicle law for the Nation. Many innovations have come from Kansas. Kansas has often enjoyed being among the first to adopt and comply with recommendations from the A.A.M.V.A. and other national organizations. However, this time, we in Kansas have definitely "drug our feet" in conforming to the national trend. We are among the very few who have not adopted the standards and exemptions to the Federal Truth In Mileage Act.

Perhaps some of our delay has been due to the concern that part of the mileage trail would be lost should we provide for the federally allowed exemptions. However, we would call your attention to Line 5 on Page 3 of the Bill. The language remains "The seller at the time of each sale shall insert the mileage on the form filed for application or reassignment of title, and the division shall insert such mileage on the certificate of title when

1

Executive Office

1101 W. 10 Topeka, Kansas 66604

913 - 233-1666

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issued to purchaser ..." The proposed exemption would merely change the requirement that *both the buyer and seller* must attest to the mileage. The mileage would still have to be reported on the back of the title at the time of sale and the department would still have the mileage trail should problems arise.

**Uniformity** is the key word. K.A.D.R.A. has long supported a national uniform title and uniform titling process. It is difficult for law enforcement to keep informed of the changes in laws for the 50 states; it is impossible for Kansas dealers to have that kind of general knowledge. Kansas dealers handle vehicles and titles that come from all over the country. We believe that uniformity in the title forms themselves and uniformity in the laws of the various states, will provide greater accuracy for the Kansas dealers in the processing of the large numbers of titles that are handled. Uniformity will mean less chance for mistakes and will make mistakes easier to detect. It will also help in the detection of *intentional* mistakes or unlawful activities.

Members of K.A.D.R.A. wish to express their support of HB 2765 which would bring Kansas into the standards of the Federal Act by providing exemption for vehicles which are 10 model years or older and trucks with a gross vehicle weight of more than 16,000 pounds from the mileage reporting and disclosure requirements of both buyer and seller.

K.A.D.R.A. requests your favorable passage of House Bill 2765. I will be happy to try to address questions that you may have.

Respectfully submitted,

Patricia M. Wiechman  
Executive Secretary

# KANSAS HIGHWAY PATROL

*Service—Courtesy—Protection*

Joan Finney  
Governor



Col. Bert Cantwell  
Superintendent

## SUMMARY OF TESTIMONY

Before the House Transportation Committee

January 30, 1992

Presented by the Kansas Highway Patrol

(Captain Terry Scott for Colonel Bert Cantwell)

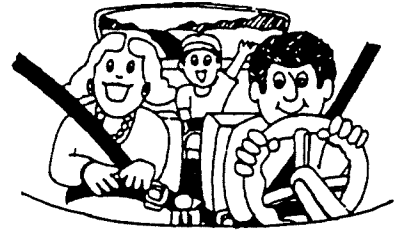
The Patrol supports adoption of proposed legislation which would amend the language in the existing statute regarding child passenger safety restraints. The proposed amendment would make K.S.A. 8-1344 consistent with the present seat belt statute, K.S.A. 8-2502 in which a "passenger car" is defined.

Present wording of the child passenger safety restraint uses the definition of a passenger vehicle by K.S.A. 8-1445, and does not require a child seat in a pickup truck. The seat belt statute (K.S.A. 8-2503) does, however, require that occupants of these vehicles have, "a safety belt properly fastened about such person's body at all times when the vehicle is in motion".

This contradiction in language puts young children at extreme risk when riding in a pickup truck. Seat belts are not designed for infants. The Patrol recommends favorable consideration of this amendment to resolve those difficulties. We appreciate your consideration in this matter.

122 SW SEVENTH STREET  
TOPEKA, KANSAS 66603-3847  
(913) 296-6800 FAX (913) 296-5956

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*ATTACHMENT 6-1*



HB #2766 TESTIMONY; TRANSPORTATION COMMITTEE; 1-30-92; MICHAEL BROWN, RN, MS;  
CHILDREN'S ADVOCATE: 2424 SUNSET COURT; TOPEKA 66604 (913-843-3750, EXT. 210)

Members of the House Committee on Transportation, my name is Michael D. Brown. I am appearing here as a registered nurse and a children's advocate.

According to the Kansas Department of Health and Environment, half of the 271 deaths that occurred among the state's children 5-14 years old in 1988-1990 were from accidents.<sup>1</sup> Most of those injury deaths were from traffic accidents.

Kansas State University's Kansas Safety Belt Education Office stated that, in 1990, 233 children were killed or seriously injured in motor vehicle crashes in the state.<sup>2</sup> Over 80 percent of those 233 children were not properly buckled in a safety belt or seat restraint. So, Kansas children need a more effective public program to help them avoid such preventable major injuries and deaths.

In 1978, 38 American children under 6 years of age died when they fell from their moving motor vehicles not even involved in crashes.<sup>3</sup> None of those 38 children were in a safety restraint. Among 76 children under 1 year old to 14 years of age involved in traffic wrecks, over 50 percent of those children ejected from their vehicles sustained major injuries while only 5 percent of those who were not ejected had serious injuries.<sup>4</sup>

In 1976-1980, 608 American children under 6 years old died in wrecks involving pickups/vans.<sup>5</sup> In 2,162 small truck crashes, unrestrained occupants who had wrecks in which their trucks rolled over or were caved in had much higher rates of major injury and death than did similar restrained occupants.<sup>6</sup>

In 1988, the number of deaths per 1,000,000 American registered vehicles was just 211.4/1,000,000 for all cars compared to, for instance, a much greater 274.9/1,000,000 for small pickup trucks.<sup>7</sup> During 1988, the percentage

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# Kansas

**BUCKLE UP**  **BUCKLE UP**

HB #2766 TESTIMONY, TRANSPORTATION COMMITTEE, 1-30-92, MICHAEL BROWN--PAGE 2

of car fatal wrecks in which cars rolled over was just 24 percent in contrast to, for example, sport utility vehicles' corresponding figure of 60 percent.

Studies showed that the risk of traffic accident-related casualties was reduced by almost 50 percent by safety belts and at least 50 percent by safety seats.<sup>2,8</sup> Yet, a September, 1991 observational survey determined that just half of child passengers in Kansas were correctly secured in a safety system.<sup>2</sup>

Three studies found that child passenger safety restraint use increased significantly after the implementation of a law requiring the use of such devices for younger children.<sup>9-11</sup> Two of those three investigations also found a marked decrease in the number of children injured or killed in traffic wrecks after such a law took effect.<sup>9,10</sup>

The U.S. Department of Transportation National Highway Traffic Safety Administration advocates that all occupants riding in light trucks or sport utility vehicles properly wear safety belts (which now come with all such new vehicles, according to federal standards).<sup>7</sup>

House Bill No. 2766 will amend the Kansas Child Passenger Safety Act so it will apply to small trucks and vans. That Act would then protect children too young to know how relatively risky the above facts suggest that travel in such vehicles may be. I fully support House Bill No. 2766. I ask you to help better protect the safety of Kansas children by voting for that bill in this Committee and to advocate for House Bill No. 2766 to be passed by the House.

With much concern for the safety of all Kansas children,

Michael D. Brown

Michael D. Brown, RN, MS



References

1. Kansas Department of Health and Environment (KDHE) data on deaths available from KDHE, Landon State Office Building, 900 SW Jackson, Topeka 66612-1290.
2. Kansas Seat Belt Education Office, 235 Seaton Hall, Kansas State University, Manhattan 66506-1424 (telephone 913-532-5780).
3. Williams AF. Children killed in falls from motor vehicles. *Pediatrics*, 86, 576-577.
4. Agran PF, Dunkle DE, Winn DG. Motor vehicle childhood injuries caused by noncrash falls and ejections. *Journal of the American Medical Association*, 253, 2530-2533.
5. Teret SP, Jones AS, Williams AF, Wells JK. Child restraint laws: An analysis of gaps in coverage. *American Journal of Public Health*, 76, 31-34.
6. Cunningham JW, Wilson FR. Injury patterns for occupants of small trucks. *Accident analysis and prevention*, 21, 105-113.
7. U.S. Department of Transportation National Highway Traffic Safety Administration. Safety programs for light trucks and sport utility vehicles. Washington, D.C.: Author, 1990.
8. U.S. Department of Transportation National Highway Traffic Safety Administration. National awards program: Safety belt use 70%+. Washington, D.C.: Author, 1990.
9. Wagenaar AC, Webster DW. Preventing injuries to children through compulsory automobile safety seat use. *Pediatrics*, 78, 662-672.
10. Decker MD, Dewey MJ, Hutcheson RH, Schaffner W. The use and efficacy of child restraint devices: The Tennessee experience, 1982 and 1983. *Journal of the American Medical Association*, 252, 2571-2575.
11. Wagenaar AC, Wiviott MBT. Effects of mandating seatbelt use: A series of surveys on compliance in Michigan. *Public Health Reports*, 101, 505-513.





Department of Health and Environment  
Azzie Young, Ph.D., Secretary

Reply to:

Testimony presented to  
House Transportation Committee

by

The Kansas Department of Health and Environment

House Bill 2766

I am pleased to present testimony today in support of the concepts contained in House Bill 2766 which proposes to close the loophole in the child passenger safety act by including pickup trucks and vans.

Pickup trucks and vans are becoming increasingly popular for use as family vehicles in Kansas. Their increasing number and changing patterns of use dictate consideration of expanding a proven injury prevention intervention, that being mandatory use of child safety seats and safety belts, to the children who are transported in these vehicles.

Despite the fact that safety seats in passenger vehicles are 71% effective in preventing fatalities and 67% effective in reducing the need for hospitalization, results of an observational survey conducted in September, 1991 by the Kansas Safety Belt Education Office at Kansas State University found that 51% of children age 0 to 4 were in safety seats and 53% of children age 5 to 14 wore a safety belt. The remaining 47 to 49% were unprotected.

The Kansas Department of Transportation reports that in 1990, seven children riding in light trucks and vans died in Kansas highway crashes while an additional 502 children were seriously injured. Sixty-eight percent of those children were known to be unprotected by a safety belt or seat.

The Kansas Department of Health and Environment supports efforts to decrease the incidence of preventable injuries - the number one killer of Kansas children. In response to the problem of childhood injury, the Department has designated a steering committee to develop a Kansas SAFE KIDS Campaign. Child safety seats and safety belts save lives, prevent unnecessary disability and improve the lives of Kansas children.

Testimony presented by: Paula F. Marmet, M.S., R.D.  
Director  
Office of Chronic Disease and Health Promotion  
January 30, 1992

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