

Approved 3-17-92  
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 February 26, 1992 in room 519-S of the Capitol.

All members were present except:

Representative Delbert Gross - Excused

Committee staff present:

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

Conferees appearing before the committee:

Representative Arthur Douville  
David Hueben - Overland Park, Ks  
Representative Sandy Praeger  
Bob Burke - ACCESS USA  
Mary Jane Stattelmann - Assistant District Attorney  
Penny Johnson - President, The Kansas Coalition Inc.

**Hearing on House Bill 2885 - Amateur radio license plates, lessee.**

Chairman Dillon introduced Representative Arthur Douville, sponsor of the bill. He testified that obtaining an amateur radio license plate is limited to persons who own their vehicles. He explained that persons who lease a vehicle cannot get a license plate that reflect their amateur radio call letters. He introduced Dave Hueben who also testified in support of House Bill 2885. (Attachment 1)

**Concludes hearing on House Bill 2885.**

**Hearing on House Bill 2986 - Accessible parking for persons with disabilities.**

Chairman Dillon introduced Representative Sandy Praeger, sponsor of the bill. She stated that the bill would strengthen the Kansas Law in the area of parking for the disabled. The bill if enacted, will give law enforcement officials the means to better enforce laws pertaining to parking for disabled persons. (Attachment 2)

Chairman Dillon called on Bob Burke who testified in support of the bill. He enumerated various shortcomings associated with the current law.

Chairman Dillon called on Mary Jane Stattelmann who expressed support for the bill. She noted that the bill provides a mechanism to permit various law enforcement agencies to better enforce unlawful parking by unauthorized persons in parking areas reserved for the disabled. (Attachment 3)

Penny Sue Johnson stated she supports the above testimony.

**Concludes Hearings on House Bill 2986.**

**Final Action - House Bill 2788 - motor vehicle dealers; imposing criminal sanctions on those selling motor vehicles without a license.**

Representative Garner made the motion to adopt the proposed amendment on House Bill 2788. (Attachment 4) Representative McKechnie seconded. Motion carried.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,  
room 519-S, Statehouse, at 1:37 a.m./p.m. on February 26, 1922

Representative Garner made the motion to pass House Bill 2788 as amended. Representative McKechnie seconded. Motion carried.

**Final Action House Bill 2886.** - Authorizing the display of motor vehicles at a location other than the dealer's established place of business.

Representative Shallenburger made the motion to adopt the proposed amendment on House Bill 2886. (Attachment 5) Representative Correll seconded. Motion carried.

Representative McClure moved to pass House Bill 2886 as amended. Representative Campbell seconded. Motion carried.

**Final Action on House Bill 3015** - Wheelchairs from certain definitions of motor vehicles; defining pedestrians to include persons in wheelchairs.

Representative Shallenburger moved to adopt proposed amendment on House Bill 3015. (Attachment 6). Representative Garner seconded. Motion carried.

Representative McClure moved to pass House Bill 3015 as amended. Representative Smith seconded. Motion carried.

Meeting adjourned at 2:47 P.M.



# ARO LICENSE PLATES

David Hueben

KB0ISS

House Transportation  
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ATTACHMENT 1 1-1

# **Amateur Radio Purpose**

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- **Communications Act of 1934**
  - **Created the FCC**
  - **Part 97 created the Amateur Radio Service**
  - **Voluntary, non-commercial communication service with particular emphasis on emergency communications**
  
- **Public Service Activities**
  - **Walk-a-thons, bike tours, air shows, parades, Red Cross**
  - **Amateur radio education**
  - **School visits**

# Emergency Communications

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- **Amateur Radio Emergency Service (ARES)**
  - **Work with city/county officials**
  - **Limited scale emergencies (flood, tornado, fire)**
  
- **Radio Amateur Civil Emergency Service (RACES)**
  - **Work with federal agencies and state/local**
  - **Declared by civil authorities**
  
- **Designed to complement governmental systems**
  
- **Mobile communications**

# Amateur Radio Licenses

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- **Uniquely identify the radio amateur**
  
- **Current Statute**
  - **Only vehicle "owners" may acquire ARO plates**
  
  - **Intended to protect the amateur operator callsign**
  
- **Issues with current statute**
  - **All responsibilities of ownership:**
    1. **Taxes**
  
    2. **Insurance**
  
    3. **Liability**
  
  - **Leases are only another payment method and they are becoming more common**

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TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
MEMBER: EDUCATION  
ELECTIONS  
PUBLIC HEALTH & WELFARE

**TESTIMONY ON HB 2986  
HOUSE TRANSPORTATION COMMITTEE  
FEBRUARY 26, 1992**

Thank you, Mr. Chairman, for allowing me this opportunity to appear before the committee today in support of HB 2986. This bill strengthens the Kansas law in the area of handicapped parking. It is intended to help law enforcement statewide be able to cite violations that occur time and time again. I believe we must close the loopholes in our handicapped parking laws that allow people to abuse them. When this bill passes, it will put some teeth into our laws so that fraudulent users will think twice before they continue their practices.

People have found all kinds of ways to get around obeying the law. This has been a "pet peeve" of mine for some time. It was an issue when I was a city commissioner. We raised the fines to a maximum of \$100 for persons parking illegally in handicapped parking spaces in response to numerous complaints that spaces were being used inappropriately. With this bill we can give law enforcement the tool they need to effectively enforce the handicapped parking laws. I ask for your support of House Bill 2986.

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ATTACHMENT 2 2-1*





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Testimony on Behalf of  
Attorney General Robert T. Stephan  
Presented by  
Mary Jane Stattelmann  
Assistant Attorney General

House Transportation Committee  
Re: House Bill No. 2986  
February 26, 1992

On behalf of Attorney General Stephan, I am here to testify in favor of House Bill No. 2986.

The Attorney General's office supports House Bill No. 2986 because we believe this is a mechanism to allow the various law enforcement agencies to stop abusive parking practices without being burdensome.

One change mandates the return of an identification card when a disabled person dies. Currently, identification cards have been required to be returned when it was discovered upon the renewal date that the applicant was deceased. Since the purpose of the cards and the rights attached to the card were for the benefit of the disabled person, a law mandating their return upon the person's death is not unreasonable.

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Another change prohibits the recognition of identification after 60 days by out-of-state residents who have become Kansas residents. Since a person should already have transferred their tags within 30 days of moving to this state this does not require anything more stringent or burdensome.

However, the change which we believe can help disabled individuals the most is the requirement of an access aisle between or beside a designated accessible parking space. This is crucial for anyone who uses a lift. The lift extends out from the side of the vehicle 4-6 feet. Therefore, if there is a car parked next to the handicapped parking space that space is unusable by the disabled person. Therefore, for the parking space to be of assistance to disabled individuals the access aisle is a necessity.

The Attorney General's office hopes that you will favorably pass House Bill No. 2986 out of this committee and therefore stop the abuse of handicapped parking and increase the ability of the handicapped population to access which in turn increases their independence. Thank you.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Transportation

Recommends that House Bill No. 2788

"AN ACT concerning motor vehicle dealers; imposing criminal sanctions on those selling motor vehicles without a license."

Be amended:

On page 1, in line 13, by striking all after the last comma; by striking all in line 14; in line 15, by striking all before "for";

And the bill be passed as amended.

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Chairperson

*House Transportation*  
*2-26-92*  
*ATTACHMENT 4 4-1*

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Transportation

Recommends that House Bill No. 2886

"AN ACT relating to motor vehicle dealers; authorizing the display of motor vehicles at a location other than the dealer's established place of business; amending K.S.A. 8-2410 and repealing the existing section."

Be amended:

On page 1, in line 20, by striking "An annual" and inserting "A"; in line 21, by striking "each" and inserting "an"; also in line 21, before the period, by inserting "for each application";

And the bill be passed as amended.

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Chairperson

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REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Transportation

Recommends that House Bill No. 3015

"AN ACT concerning the use of wheelchairs; excluding wheelchairs from certain definitions of motor vehicles; defining pedestrians to include persons in wheelchairs; amending K.S.A. 8-126, 8-1437 and 8-1446 and repealing the existing sections."

Be amended:

On page 4, after line 8, by inserting the following:

"(dd) "Motorized wheelchair." Any self-propelled vehicle designed specifically for use by a physically disabled person that is incapable of a speed in excess of eight miles per hour.";

Also on page 4, after line 18, by inserting the following section:

"New Sec. 4. "Motorized wheelchair" means any self-propelled vehicle designed specifically for use by a physically disabled person that is incapable of a speed in excess of eight miles per hour.";

And by renumbering sections accordingly;

On page 1, in the title, in line 12, after the semicolon, by inserting "defining motorized wheelchairs;"

And the bill be passed as amended.

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Chairperson  
House Transportation  
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ATTACHMENT 6 6-1