

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

1:36 p.m. on March 3, 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:

Representative George Dean  
Deana Morford  
John Smith - Vehicle Administrator - Department of Revenue  
Leslie Spencer - Staff Attorney - Kansas Department of Transportation (KDOT)  
Ken Gudenkauf - Assistant Bureau Chief of Bureau of Traffic Engineering  
Captain Terry Scott - Highway Patrol

**Hearing - House Bill 3086 - Driver licenses, identifying numbers, lost and destroyed.**

Chairman Dillon called on Representative George Dean who requested the introduction of the bill. He noted that the bill provides that the driver's license must be a nine-digit number. The bill prohibits the use of the social security numbers on a driver license for purposes of identification. In addition, all information required on the driver's license must be contained on one document. Also, when a person obtains a duplicate driver's license, a new nine-digit number would be assigned. (Attachment 1)

Deana Morford pointed out that the blue card issued by the Department of Revenue which identifies restrictions on the use of a driver's license and endorsements for a Commercial Driver's License should not be issued unless the person is subject to restrictions or endorsements.

Chairman Dillon called on John Smith to answer questions from the committee. He also provided a Memorandum from the Kansas Department of Revenue. (Attachment 2)

Representative Jennison requested information from the Department of Revenue pertaining to the restriction codes on the restriction card. He asked which codes on this card are used universally across the United States.

Concludes Hearing on House Bill 3086.

**Final Action on House Bill 3133 - Width of loads; special permits.**

Chairman Dillon called on Ken Gudenkauf who clarified previous KDOT testimony on House Bill 3133. (Attachment 3)

Representative Bryant made the motion to adopt the proposed amendment on House Bill 3133. The amendment limits the movement of custom combine cutters to 30 minutes before sunrise and 30 minutes after sunrise. Representative Shore seconded. Motion carried.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,  
room 519-S Statehouse, at 1:36 a/m./p.m. on March 3, 1992

Representative Smith made the motion to amend House Bill 3133 to allow "oversize loads" to travel on interstate if that was the only route they could access. Representative Crowell seconded. Motion failed.

Representative Garner moved to adopt the technical amendment on House Bill 3133. Representative Pauls seconded. Motion carried. The amendment is on Page 2, in line 16, by striking "(b)" and inserting "(c)".

Representative McKechnie moved to pass House Bill 3133 as amended. Representative Bryant seconded. Motion carried.

**Final Action on House Bill 3157 - Designation of emergency vehicles.**

Representative Crowell moved to pass House Bill 3157. Representative Shore seconded. Motion carried.

**Discussion on House Bill 2865 - Abandoned and disabled vehicles.**

Representative Pauls made the motion to remove House Bill 2865 from the table. Representative Crowell seconded. Motion carried.

Leslie Spencer provided information to address the concerns about House Bill 2865. (Attachment 4)

Captain Terry Scott explained the procedure used by Troopers to mark vehicles which are left abandoned and disabled.

Representative Pauls moved to pass House Bill 2865. Representative Correll seconded. Motion carried.

Meeting adjourned at 3:15 P.M.



GEORGE R. DEAN  
 REPRESENTATIVE, NINETY-SIXTH DISTRICT  
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 2646 EXCHANGE  
 WICHITA, KANSAS 67217-2928



COMMITTEE ASSIGNMENTS  
 CHAIRMAN: COMPUTERS, COMMUNICATION AND  
 TECHNOLOGY  
 MEMBER: APPROPRIATIONS  
 ECONOMIC DEVELOPMENT

TOPEKA

HOUSE OF  
 REPRESENTATIVES  
 March 3, 1992

TESTIMONY BEFORE THE  
 HOUSE COMMITTEE ON TRANSPORTATION  
 ON H.B. 3086

Mr. Chairman and members of committee:

Thank you for the opportunity to appear in support of H.B. 3086. H.B. 3086 addresses three issues that have to do with the general public's drivers licenses for a Class C vehicle. These issues are:

- o Not using social security numbers for license identification.
- o Restricting the license to one card.
- o Different numbers for replacement license.

During the 1991 legislative session it was brought to the attention of the Legislators, that identification numbers for drivers licenses would be the driver's social security number.

Many Legislators received a considerable number of outraged letters and calls on this subject. Subsequently, the House voted to prohibit the social security number on the drivers licenses; however, that measure was removed in conference committee.

Many believe the social security number is somewhat a private ID number, not to be so widely displayed. Drivers licenses have become "the" item of identification here in the United States. Most places of business copy your drivers license number on the back of checks when one is cashing them at that business.

My constituents and I are sure your constituents also believe, once your name and social security number is known, we are vulnerable to manipulation of the system; i.e., your account balance, etc.

We need a method which does NOT utilize the social security number. If the Department of Revenue would like to use some nine digit number, OTHER than the social security number, this would be acceptable.

As of last year, there was so much information on the drivers

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license encased card, a second card had to be issued with the new license. The first card is of quality, with colored picture and encased in plastic. The second card is a mass printed blue paper card on which the restriction classes are printed. Both are of EQUAL value. At the top of the reverse side of the encased card, it is stated, "license not valid without Restriction/Endorcement Card".

Many, many people are greatly upset about this additional blue card. They state it is too hard to keep up with an additional card, and the probability of losing it, or misplacing it is quite great. Put everything on the encased card.

Finally, my constituents are quite concerned about what is done with their drivers license when it is stolen. Now the constituent is issued another license with the same identification number as the original; therefore, there will be two numbers out there in the public--and who knows what the stolen number is doing? Maybe casing stolen checks, being sold to illegal aliens, or being used by minors to gain access to adult bars.

Devious people have devious ways. The nine digit number used on the drivers license yields 387,420,489 combinations of identification numbers for licenses. This is more than enough for the 2.5 million population of Kansas. A list of stolen, or lost licenses could be used by merchants much like the list of lost or stolen credit cards. Also proof, that the constituents license has been stolen and replaced.

I urge the committee to recommend favorable passage of H.B. 3086.

George Dean  
State Representative  
District 96

MEMORANDUM

TO: Ms. Gloria Timmer, Director  
Division of Budget

DATE: March 2, 1992

FROM: Kansas Department of Revenue

RE: House Bill 3086,  
As Introduced

BRIEF OF BILL:

House Bill 3086, as introduced, amends K.S.A. 8-243 and 8-246, and relates to drivers license. This bill provides that the drivers license number shall be a nine-digit distinguishing number, and cannot be the person's social security number. The bill also states that all information required on the drivers license shall be contained on one document. Additionally, when a person obtains a duplicate license, a new nine-digit number will be assigned, and the Division shall maintain a list of these numbers to be made available to any interested party. This bill would take effect on July 1, 1992.

FISCAL IMPACT:

None

ADMINISTRATIVE COSTS AND COMMENTS:

Currently, when a person obtains a drivers license, the individual is given the option of using their social security number or a nine-digit generated number as their drivers license number. No person is mandated into using their social security number as their drivers license number. Also, if a person initially uses their social security number as their drivers license number, and later changes their mind, they are permitted to change that number to a nine-digit generated number.

If it is mandated that the Division can no longer use the social security number as the driver license number, then the Division would begin to issue only the generated nine-digit number as provided for in the present computer system. Anyone with a generated number would keep that number, and anyone with a social security number would be converted to a generated number at the first available opportunity (upon renewal or issuance of a duplicate license).

The computer system which maintains drivers license records keeps an "alias" record on an individual's driver history when the person's license number is changed. There is no need for the Division to maintain a separate list of these duplicate numbers.

With implementation of the Federal Commercial Motor Vehicle Safety Act of 1986, the number of license restrictions that can be applied toward a person's license has increased from six to 20. Also, the number license classes has also increased from four to seven. There is not enough room on the current

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CLARIFICATION OF RESPONSES FOLLOWING KDOT TESTIMONY ON H.B. 3133

Mr. Chairman and members of the committee, I am Ken Gudenkauf, Assistant Chief of the Bureau of Traffic Engineering. On behalf of the Kansas Department of Transportation, I would like to re-emphasize the importance of this legislation to KDOT. This legislation will remove some regulatory language from the statute and allow the Secretary of Transportation to develop rules and regulations. KDOT is trying to become more uniform with other states with requirements for the trucking industry. When new criteria is adopted by several states, the rules and regulations can be updated without requiring new or amended legislation. Therefore, the proposed legislation would allow KDOT to be more responsive to changes in the trucking industry. The "OVERSIZE LOAD" sign is a perfect example of legislation required to update to current standards adopted by other states.

RESPONSE # 1  
CONCERNING FINES FOR ILLEGAL OPERATION FOR CYLINDRICALLY SHAPED  
BALES OF HAY

The proposed legislation increases the size of the "OVERSIZE LOAD" sign to meet the recommendation of the American Association of State Highway and Transportation Officials (AASHTO). The remainder of the changes were proposed to clarify verbiage with no overall affect for K.S.A. 8-1902.

Our response to the question about fines for illegal operation was incorrect. The movement of cylindrically shaped bales of hay does not require a permit and the Kansas Highway Patrol is responsible for enforcement. The amount of the fine is covered by K.S.A. 8-1901(b) "Any person violating.... . . . .upon conviction thereof, be fined in an amount not to exceed \$500.

RESPONSE # 2  
CONCERNING A DEFINITION FOR DAYLIGHT HOURS

The term daylight hours is defined in Kansas Administrative Regulations 36-1-1a(2) as follows:  
"Daylight hours" means that span of time between one-half hour before sunrise and one-half hour after sunset.

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Secretary of Transportation

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Joan Finney  
Governor of Kansas

**HOUSE TRANSPORTATION COMMITTEE  
REGARDING H.B. 2865:  
REMOVING ABANDONED AND DISABLED VEHICLES FROM STATE HIGHWAYS  
MARCH 3, 1992**

Mr. Chairman and Committee Members:

The following information is being provided to address the concerns of the House Transportation Committee about H.B. 2865.

**COST:**

The costs charged by private sector firms for abandoned cars will be consistent with the rates those firms now charge when towing wrecked or disabled cars for the Highway Patrol. The Highway Patrol maintains a rotation list and firms charge their regular market rates. The Highway Patrol indicates that in the event there are complaints against a firm, that firm will be removed from the rotation list.

**PERCENTAGE OF OWNERS RETRIEVING THEIR CARS:**

In 1990, 117 vehicles were sold at auction recouping an average of \$80 per car while only 58 were released to the owner, recouping an average of \$60 per car. In 1991, 89 vehicles were sold at auction recouping an average of \$66 per car while 40 were released to the owner, recouping an average of \$78.92 per car.

Based on these numbers it appears only one owner in three is seeking return of the car while two owners in three are using the highways to dispose of cars at no cost.

**SUFFICIENT NOTICE TO THE OWNER:**

The statute allows the owner or operator 48 hours to retrieve the car. After the car is impounded, KDOT contacts the registered owner and lienholder by certified mail, informing them about the location of the car and how to retrieve it. In addition, notice is published once a week for two consecutive weeks in a newspaper of general circulation, and the car can not be sold for at least 84 days. These actions meet constitutional requirements of due process which are required by the U.S. Supreme Court to protect property owners' interest. No procedures can completely protect an owner who fails to register the car or respond to the notices.

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**PUBLIC AGENCY AUCTION:**

KDOT sells the cars for whatever the auction will bring, which is generally below KDOT's operating cost. The purchaser receives a bill of sale with an abandoned vehicle affidavit in order to obtain title.

**SECTION C:**

Section C is needed to clarify the transition from KSA 8-1102 to KSA 8-1103 and remove confusion about how the law enforcement officers could coordinate removal of abandoned vehicles under KSA 8-1103 when a wrecker or towing service is used. It delineates the procedures between the public agency under KSA 8-1102 and the private sector under KSA 8-1103.

**DISTANCE:**

In most cases this new procedure would decrease the distance cars are towed. KDOT always tows cars to the nearest area office, where there is storage, a place to conduct an auction, and staff to handle the cars and public. The Highway Patrol will generally use the towing services closest to where the car was abandoned.