

Approved 1-16-92
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./~~pm~~ on January 15, 1992 in room 254-E of the Capitol.

All members were present ~~except~~.

Committee staff present:

Hank Avila, Legislative Research Department
Ben Barrett, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
Louise Cunningham, Committee Secretary

Conferees appearing before the committee:

Mike Johnston, Secretary, Department of Transportation.
Deb Miller, Department of Transportation.

A motion was made by Sen. Doyen to introduce a committee bill relating to records of the division of vehicles, concerning fees charged for information from such records. A copy of the proposed bill is attached. (Att. 1). The motion was seconded by Sen. Hayden. Motion carried.

Deb Miller, KDOT, gave the briefing for the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. This bill was signed in December and has a 6 year authorization and a cost of \$155 billion. A copy of the presentation is attached (Att. 2). She answered questions from the committee.

Secretary Mike Johnston, KDOT, said he was not unhappy with the federal bill but since it specified the US-81 project and the Hutchinson Bypass and other demonstration projects the state would have to come up with matching funds. Some of these require immediate decisions and the state would have to front the costs. The federal funds are not available now. They will come on a piecemeal basis over years. They are undergoing daily reviews on the situation.

The committee would continue the discussion on this subject at the next meeting.

Meeting was adjourned at 10:00 a.m. Next meeting January 16, 1992.

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 1-15-92 Place 254-E Time 9:02

GUEST LIST

NAME	ADDRESS	ORGANIZATION
Dennis R. Slimmer	Planning & Dev. 8th Fl. Docking Off. Bldg.	KDOT
Robert J. Deatrick	444 SE Quincy, Room 240 Topeka, KS	FHWA
Deb Miller	Topeka	KDOT
Patrick Hurley	Topeka	Economic Relations
Don Paul E	Topeka	KCC
Bill Watts	Topeka	KDOT
Greg Tugman	Topeka	Budget
John C. Bottenberg	Topeka	R.L. Polk
Pat Wiechman	Topeka	KADRA
KENNETH A MENEILL	ABATA	ABATA OF KS
Jim Kelle	Paola	Boyle
Nancy Bogina	Topeka	KDOT
Anita Helt	"	"
Michael Johnston	"	"
Tom Whitaker	"	Ks Motor Carriers
Bernie Koch	Wichita	Wichita Chamber

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 1-15-92 Place 254-E Time 9:02

GUEST LIST

NAME

ADDRESS

ORGANIZATION

BB Tottan

Topeka

K-C-A

SENATE BILL NO. _____

By Committee on Transportation

AN ACT relating to records of the division of vehicles; concerning fees charged for information from such records; amending K.S.A. 1991 Supp. 74-2012 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 1991 Supp. 74-2012 is hereby amended to read as follows: 74-2012. (a) All records of the division of vehicles relating to the physical or mental condition of any person or to expungement shall be confidential. Records of the division relating to diversion agreements for the purposes of K.S.A. 8-1567, 12-4415 and 22-2908, and amendments thereto, shall be confidential and shall be disclosed by direct computer access only to: (1) A city, county or district attorney, for the purpose of determining a person's eligibility for diversion; (2) a municipal or district court, for the purpose of using the record in connection with any matter before the court; (3) a law enforcement agency, for the purpose of supplying the record to a person authorized to obtain it under (1) or (2); or (4) an employer when a person is required to retain a commercial driver's license due to the nature of such person's employment.

All other records of the division of vehicles shall be subject to the provisions of the open records act except as otherwise provided by this section.

(b) Lists of persons' names and addresses contained in or derived from records of the division of vehicles shall not be sold, given or received for the purposes prohibited by K.S.A. 21-3914, and amendments thereto, except that:

(1) The director of vehicles may provide to a requesting party, and a requesting party may receive, such a list and accompanying information from public records of the division upon

written certification that the requesting party shall use the list solely for the purpose of: (A) Assisting manufacturers of motor vehicles in compiling statistical reports or in notifying owners of vehicles believed to: (i) Have safety-related defects, (ii) fail to comply with emission standards or (iii) have any defect to be remedied at the expense of the manufacturer; or (B) assisting an insurer authorized to do business in this state, or the insurer's authorized agent, in processing an application for, or renewal or cancellation of, a motor vehicle liability insurance policy.

(2) Any law enforcement agency of this state which has access to public records of the division may furnish to a requesting party, and a requesting party may receive, such a list and accompanying information from such records upon written certification that the requesting party shall use the list solely for the purpose of assisting an insurer authorized to do business in this state, or the insurer's authorized agent, in processing an application for, or renewal or cancellation of, a motor vehicle liability insurance policy.

(c) If a law enforcement agency of this state furnishes information to a requesting party pursuant to subsection (b)(2), the law enforcement agency shall charge the fee prescribed by the secretary of revenue and approved by the director of accounts and reports pursuant to subsection (c)(5) of K.S.A. 45-219, and amendments thereto, for any copies furnished and may charge an additional fee to be retained by the law enforcement agency to cover its cost of providing such copies. The fee prescribed pursuant to subsection (c)(5) of K.S.A. 45-219, and amendments thereto, shall be paid monthly to the secretary of revenue.

(d) The secretary of revenue, the secretary's agents or employees, the director of vehicles or the director's agents or employees shall not be liable for damages caused by any negligent or wrongful act or omission of a law enforcement agency in furnishing any information obtained from records of the division of vehicles.

(e) A fee in an amount fixed by the secretary of revenue and

approved by the director of accounts and reports pursuant to subsection (c)(5) of K.S.A. 45-219, and amendments thereto, of not less than \$2 for each request for information in the public records of the division concerning any vehicle or licensed driver shall be charged by the division, except that the director may charge a lesser fee pursuant to a contract between the secretary of revenue and any person to whom the director is authorized to furnish information under subsection (b), and such fee shall not be less than ~~the minimum fee established under this subsection and shall not be less~~ than the cost of production or reproduction of any information requested. ~~Of the amount charged for each such fee~~ Except for the fees charged pursuant to a contract for title and registration records on vehicles authorized by this subsection, \$1 shall be credited to the highway patrol training center fund for each fee charged.

(f) The secretary of revenue may adopt such rules and regulations as are necessary to implement the provisions of this section.

Sec. 2. K.S.A. 1991 Supp. 74-2012 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

LEGISLATIVE BRIEFING

January 1992
Kansas Department of Transportation

PTT.2
T.V.U.
1-15-92
Pg. 1 of 39

STATE

FEDERAL



KDOT's

Transportation Program

Comprehensive

Highway

Program

Purpose of Presentation

1. Review Program Structure
2. Discuss Changes Since 1989 Session
3. Report Progress

Review of Program Structure

Program Components

1. Local Support
2. Substantial Maintenance
3. Major Modifications
4. Priority Bridges
5. System Enhancements

Local Support

An increase in support
to local governments through
both an approximate
54 percent increase in the
Special City & County Highway Fund
and an increase in
City Connecting Link
Payments

6E 2 4

Substantial Maintenance

A program sufficient
to arrest and reverse
the decline in the
surface condition
of highways and bridges

Major Modification

A program sufficient
to address the
top 16 percent
of the existing
State Highway
system needs

Priority Bridge

A program sufficient
to increase the
number of
Priority Bridge
projects by
20 percent

System Enhancements

A limited number of projects to improve safety, relieve congestion, improve access, or enhance economic development

**All major modification,
priority bridge and
system enhancement
projects are
anticipated to have
contracts for
construction by
June 30, 1997**

**Physical construction
will continue for
several years
following the
awarding of the
construction contracts**

Fully Funded

1. Program is funded through FY 1997
2. Construction projects let in FY 1997 and before are funded through the end of construction

The Program, as enacted,
requires a decision
before the end of
FY 1997.

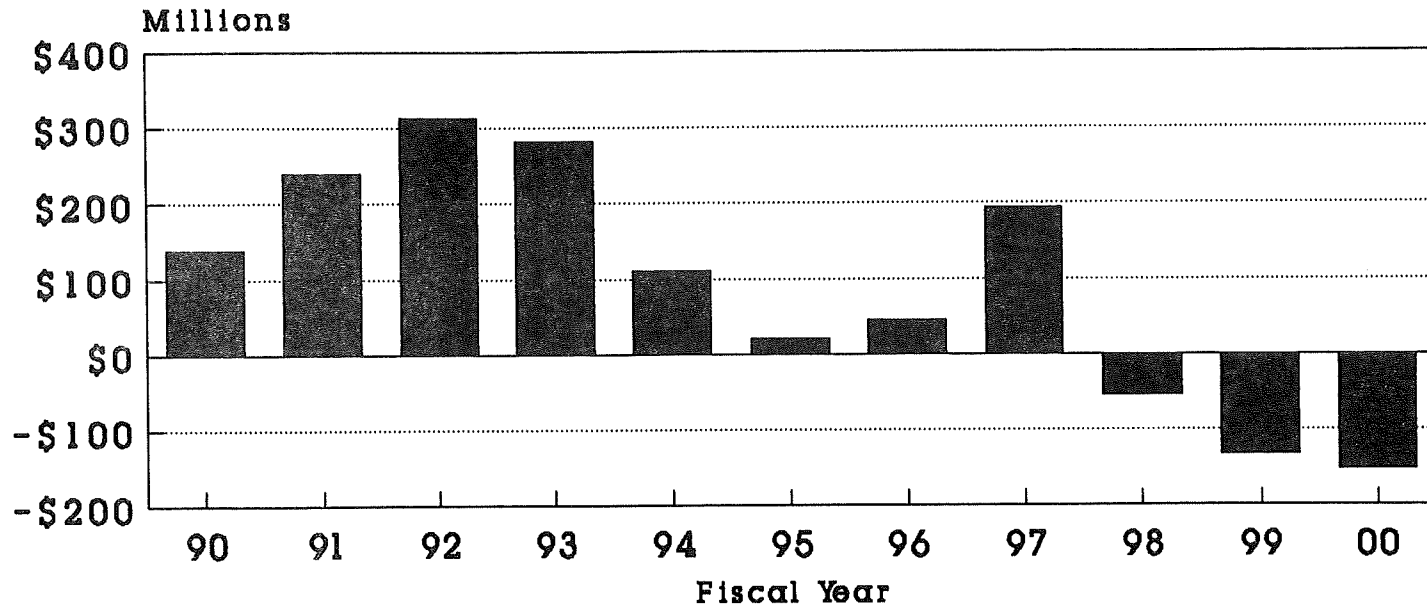
Revenues could be
increased or the level
of services provided
could be reduced.

Post FY 1997 Program Assumptions

1. Continue adequate level of substantial maintenance
2. Match available Federal Aid
3. Continue agency operations

**Changes in
Revenues, Expenditures,
and Fund Balance
Projections
since the
1989 Session**

STATE HIGHWAY FUND Ending Cash Balance

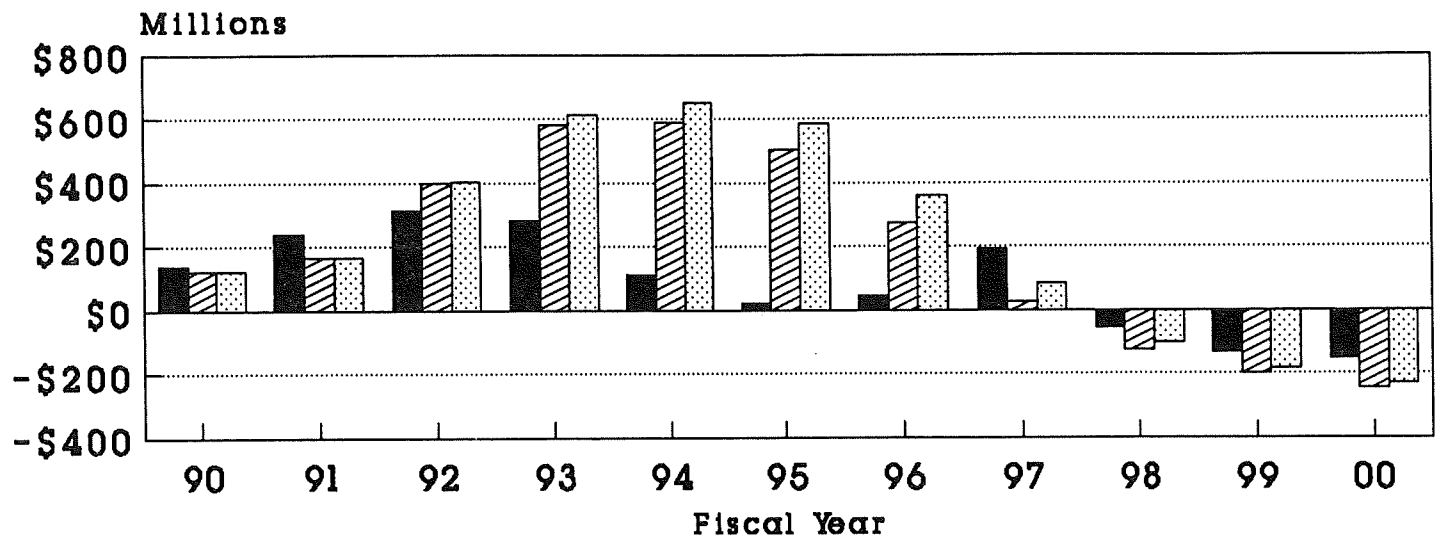


■ At time of 89 HB2014

Assumes continued matching of Fed Aid,
Substantial Maintenance & Agency Ops
beyond FY 1997

19 of 29

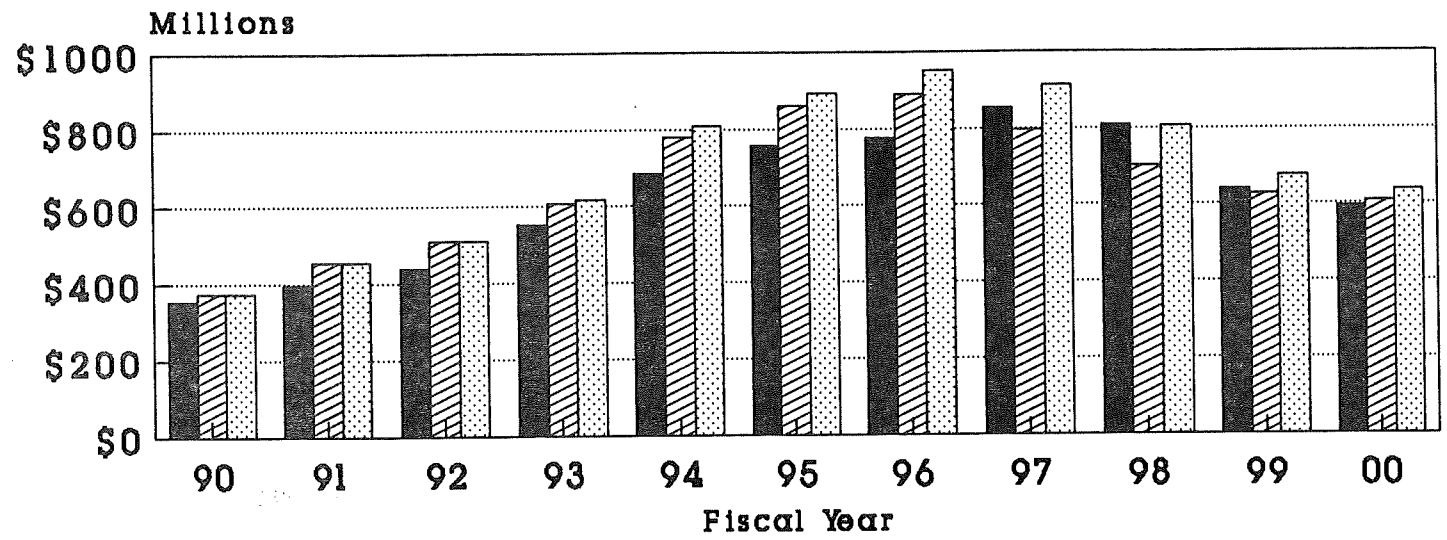
STATE HIGHWAY FUND Ending Cash Balance






■ At time of 89 HB2014 ▨ Jan92 - Old Fed Aid
▤ Jan92 - New Fed Aid

Assumes continued matching of Fed Aid,
Substantial Maintenance & Agency Ops
beyond FY 1997

STATE HIGHWAY FUND Total Expenditures

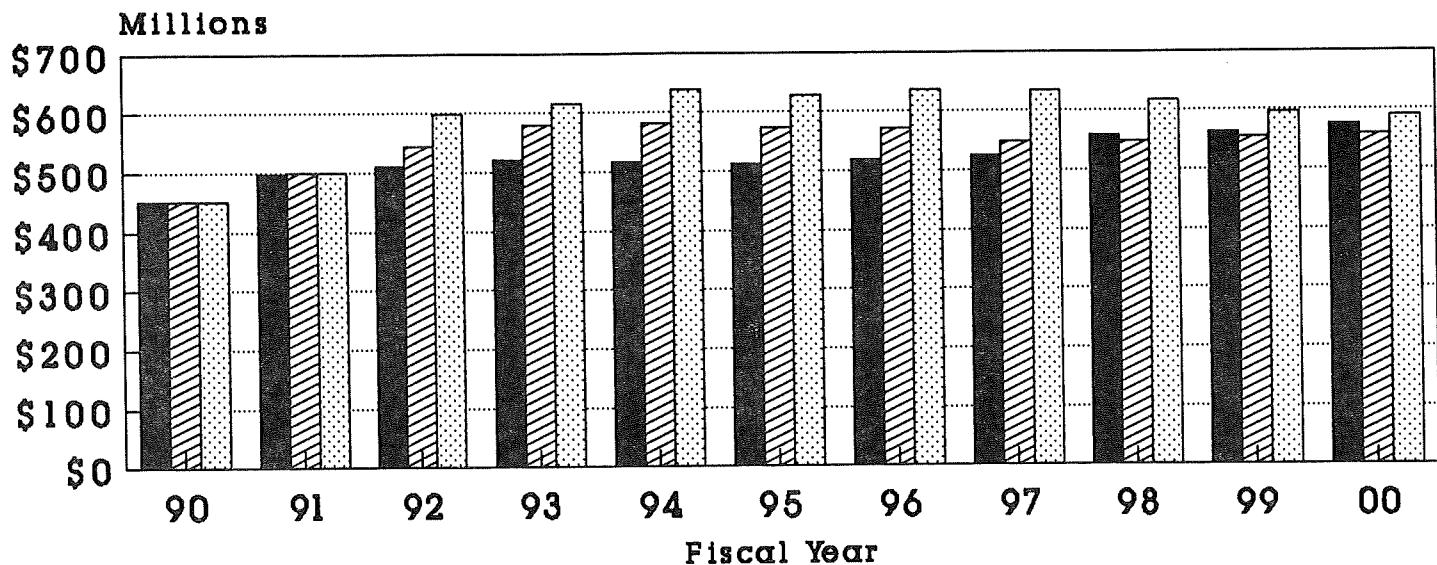





 At Time of 89 HB2014	 Jan92 - Old Fed Aid
 Jan92 - New Fed Aid	

Assumes continued matching of Fed Aid,
Substantial Maintenance & Agency Ops
beyond FY 1997

21/6/39

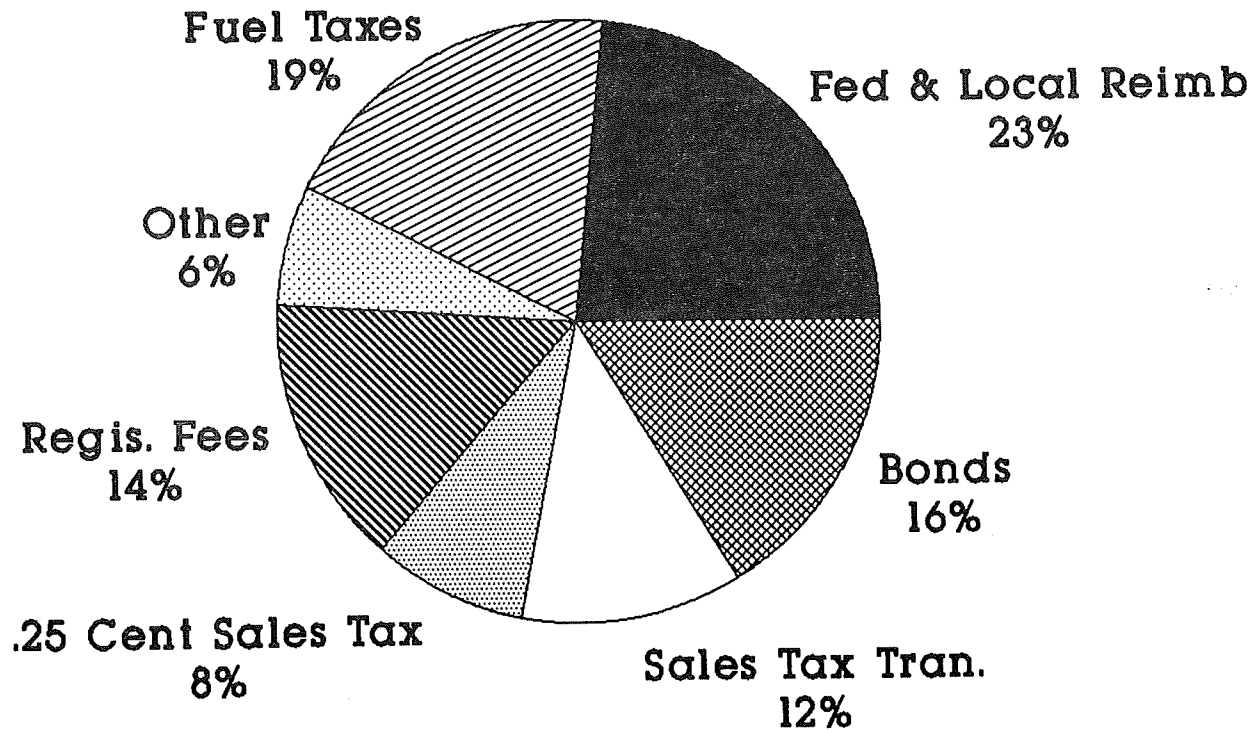
STATE HIGHWAY FUND Total Revenues



	At Time of 89 HB2014		Jan92 - Old Fed Aid
	Jan92 - New Fed Aid		

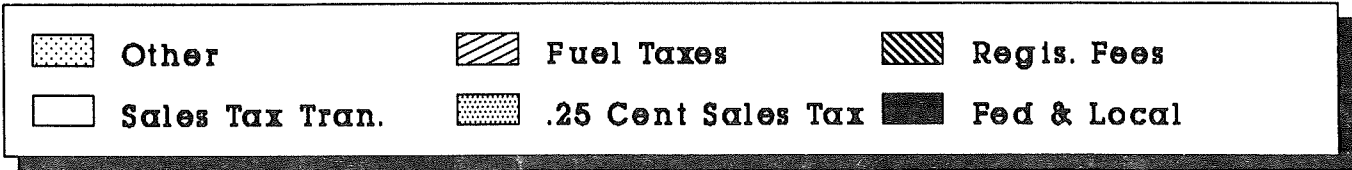
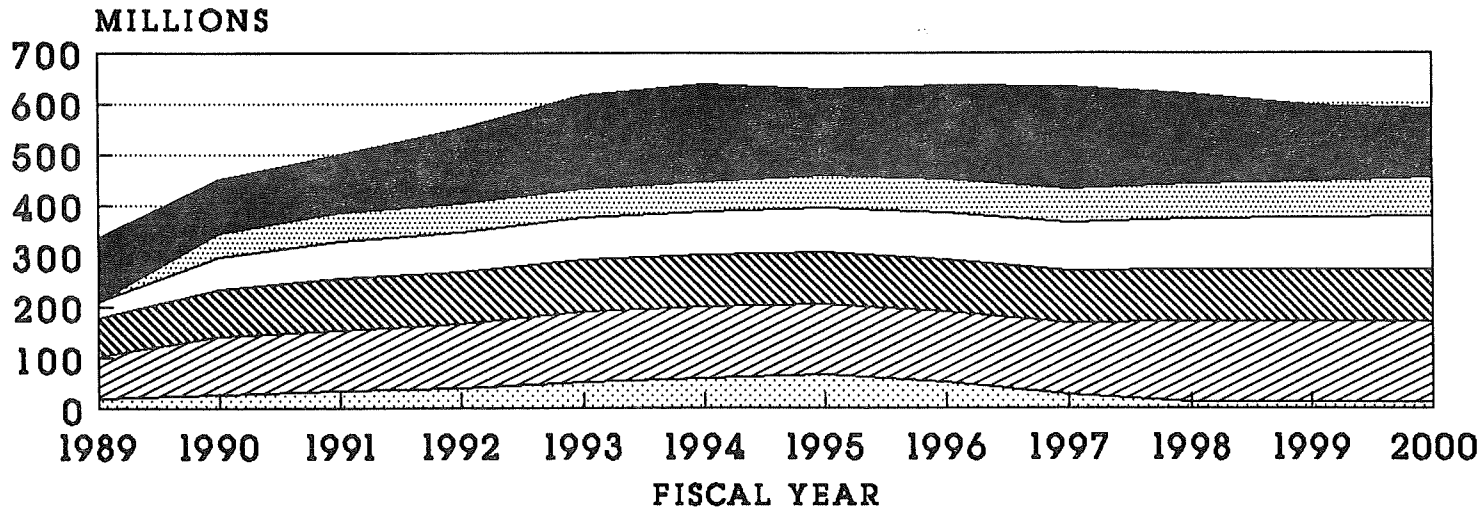
Includes Fed & Local Reimbursements
Before Bond Sales

State Highway Fund Total Revenues Including Fed. & Local Reimb.



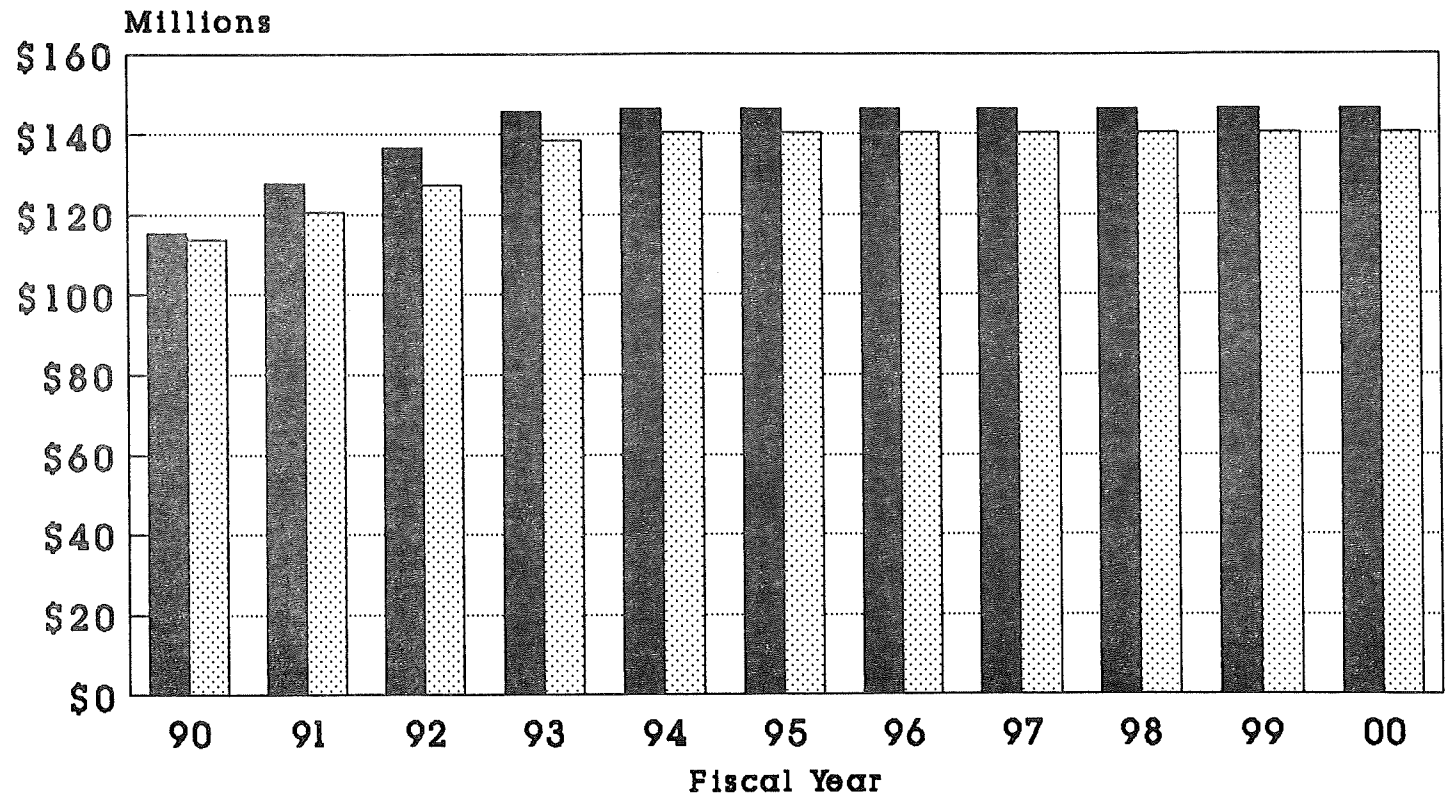
FY 1990 - 1997
Jan 92 estimates

State Highway Fund State Revenues Including Fed. & Local Reimb.



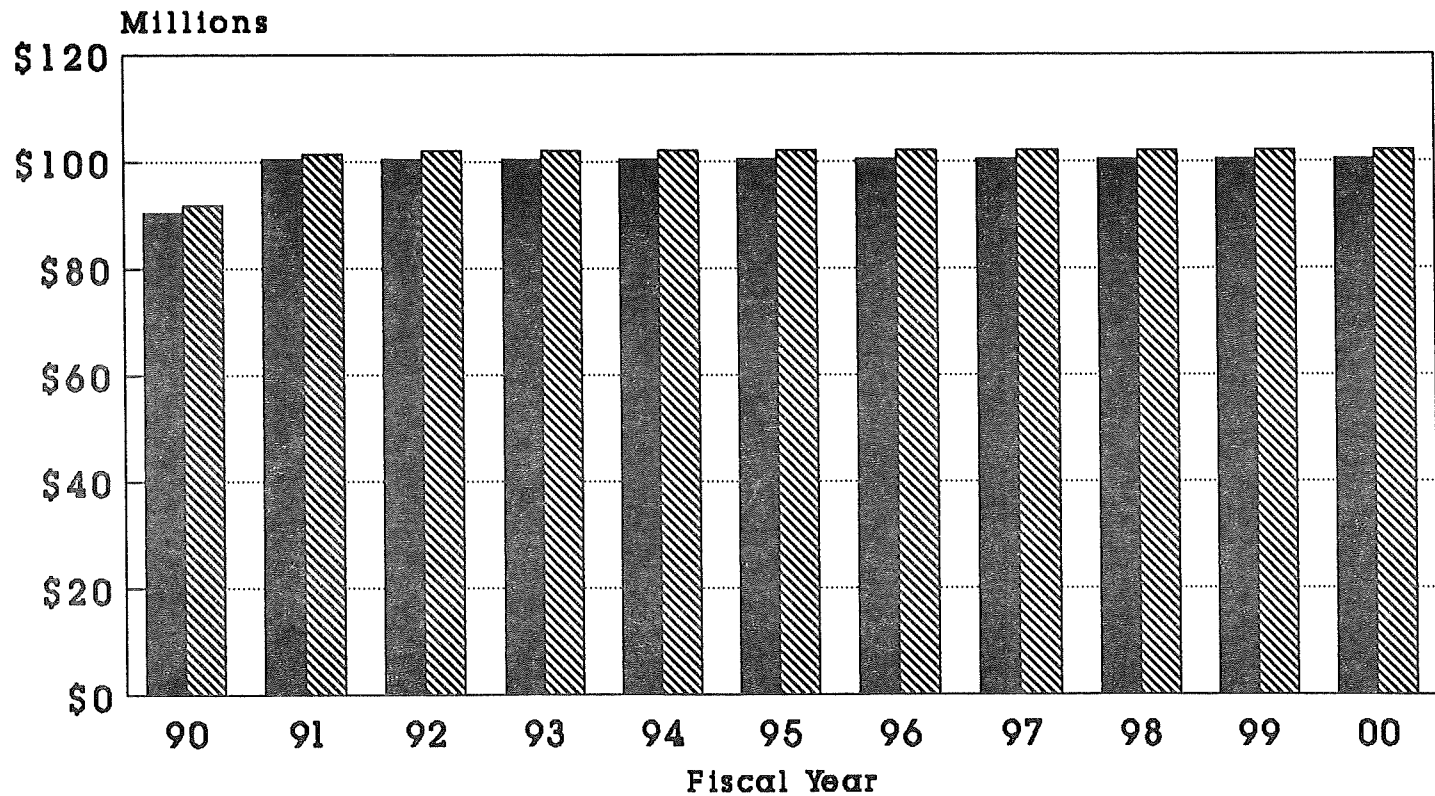
Does not include Bonds

Motor Fuel Taxes



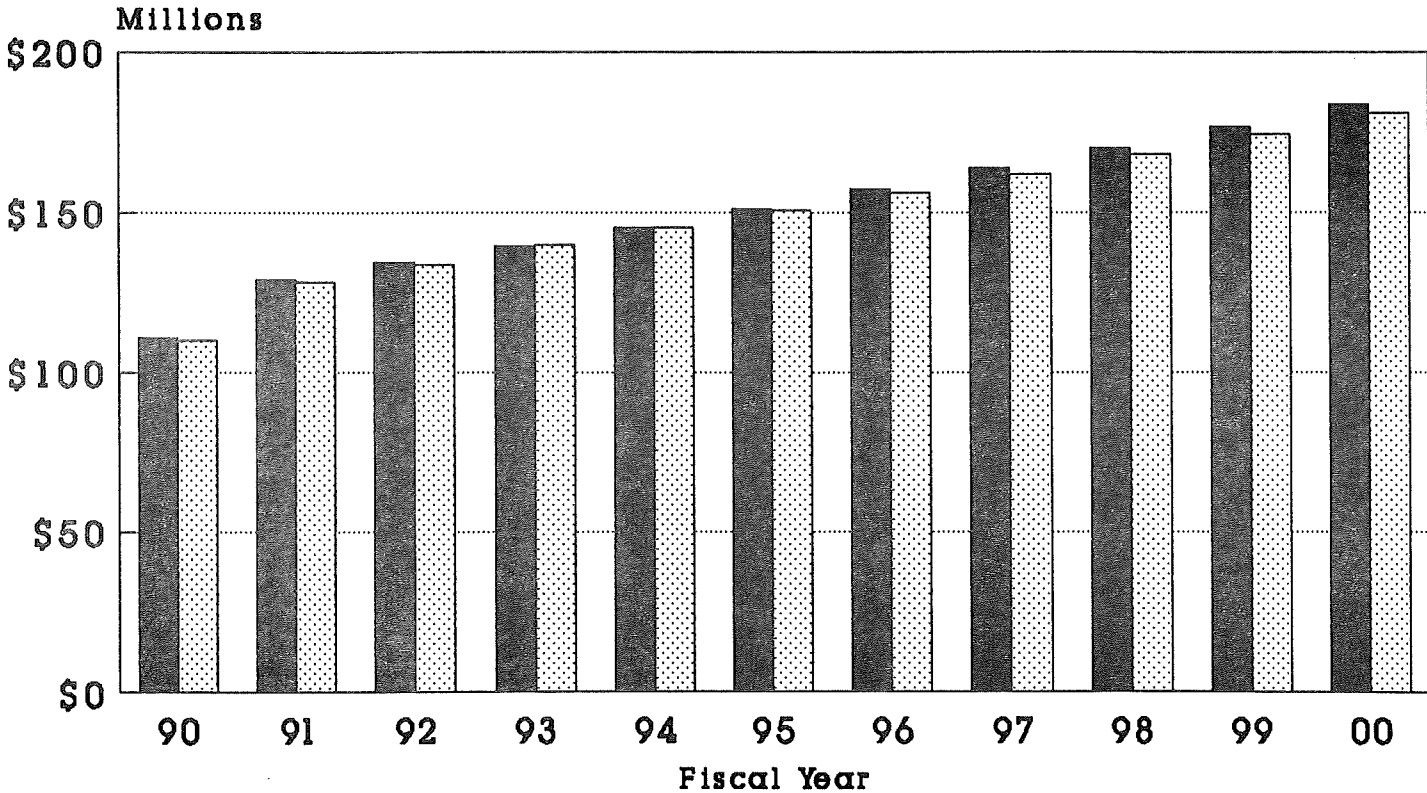
■ At time of 89 HB2014 ▨ January 92 Estimates

Registration Fees



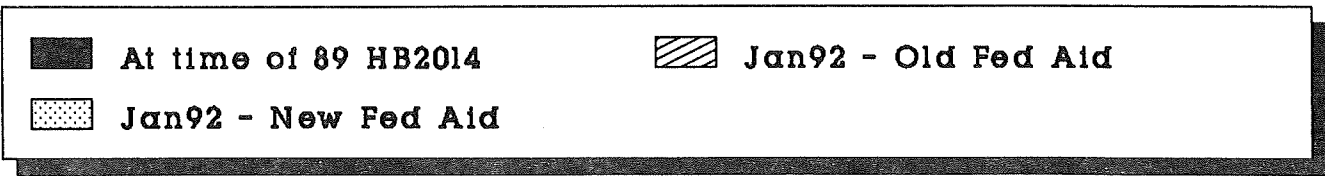
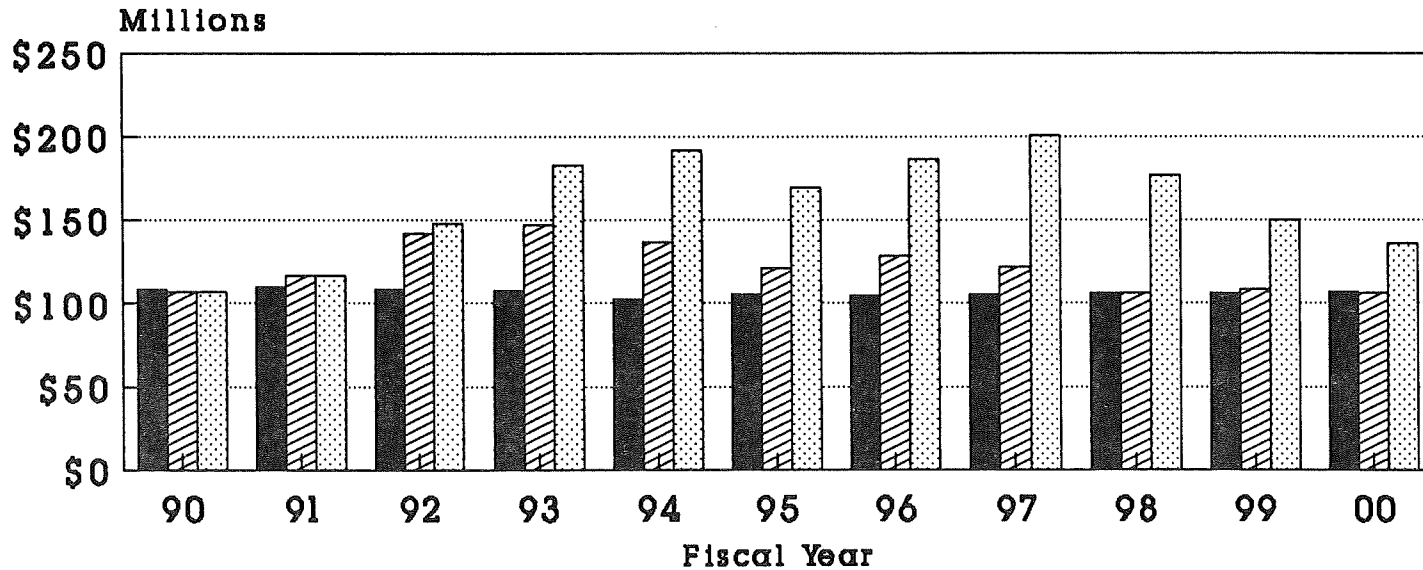
■ At time of 89 HB2014 ▨ January 92 Estimates

Sales Taxes



■ At Time of 89 HB2014 ▨ January 92 Estimates

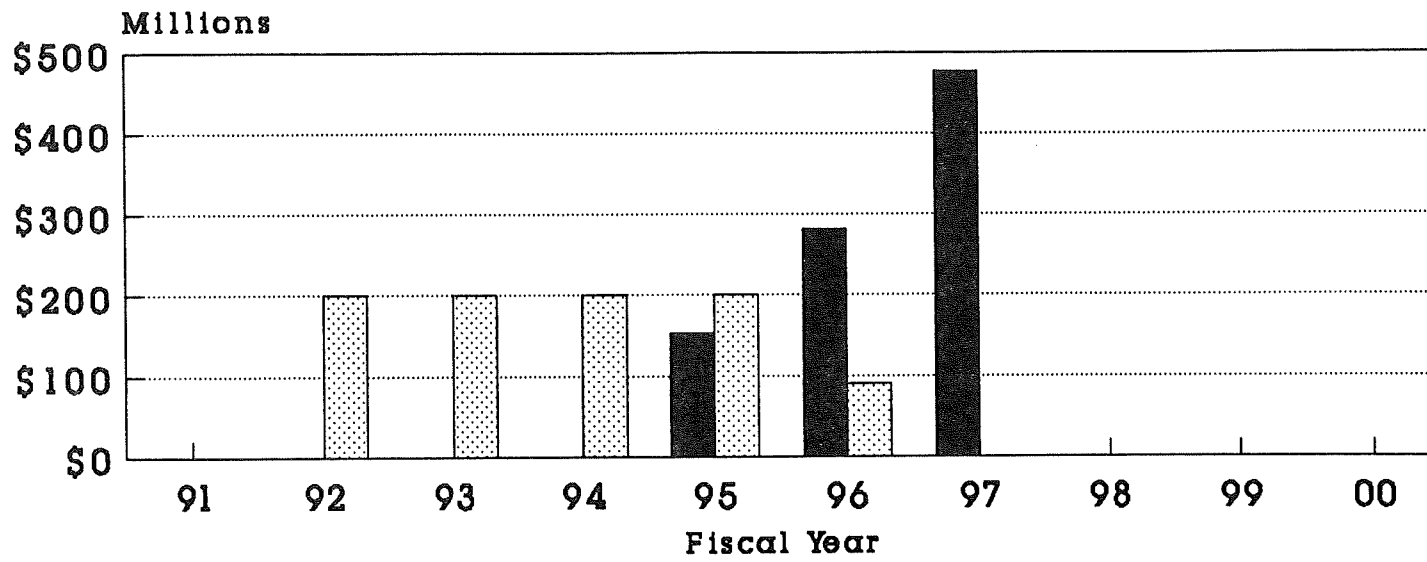
Federal Aid Reimbursement Including Local Contributions



Assumes continued matching
of Federal Aid after FY97

ASSUMED BOND SALES

Actual Size & Frequency of Sales Subject to Market & Policy Changes



■ Bond Sales - HB2014 ■ Early Bond Sales

Sales are net of issue costs
and earnings on balances

Justification for Early Bond Sale

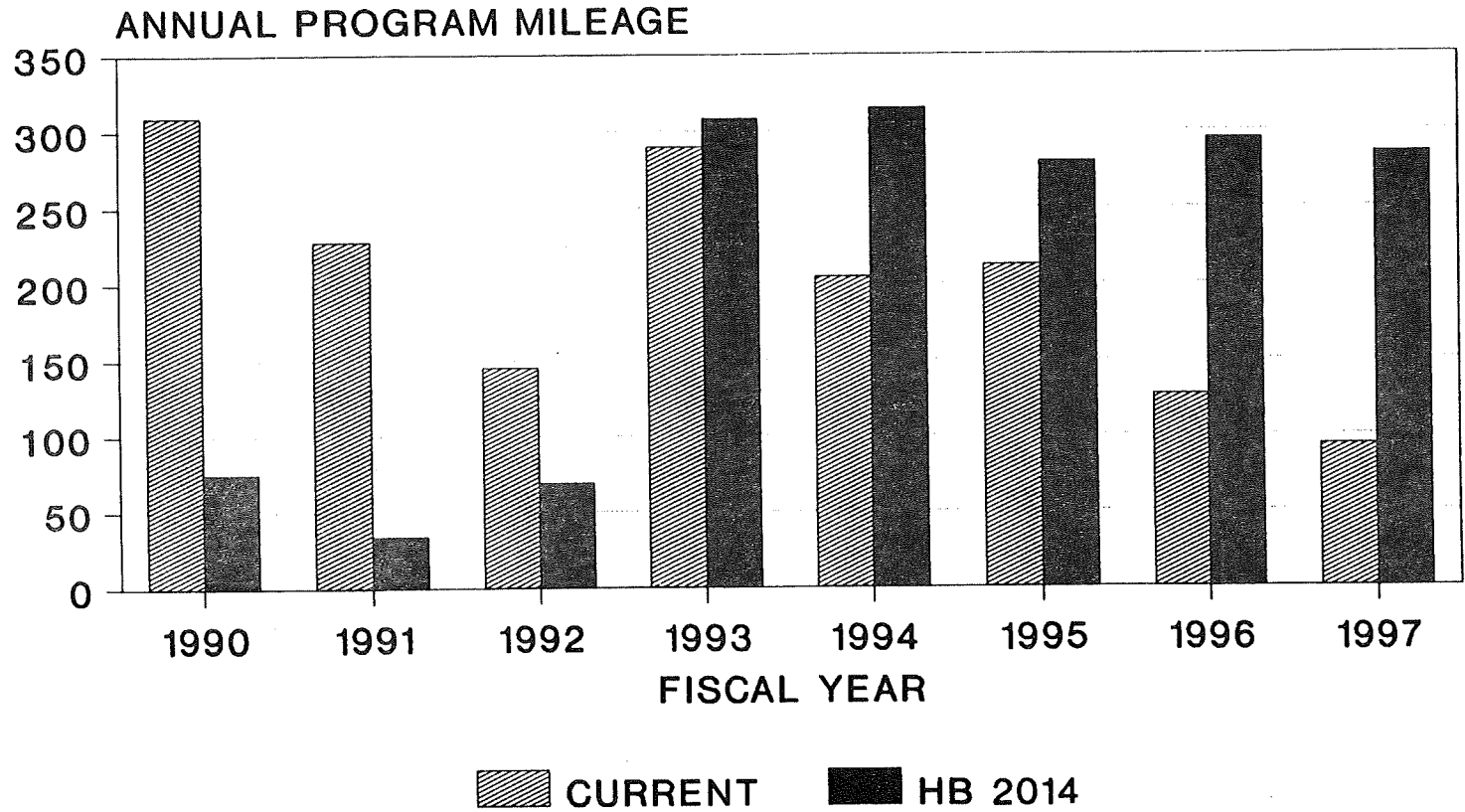
- Reduce future risk by selling bonds when interest rates are at 12 year low
- Increase earnings through legal arbitrage

Legal Arbitrage

- Sell Bonds at Current Market
- Bond Proceeds used to pay for construction
- Released State Revenue invested above Bond Rates

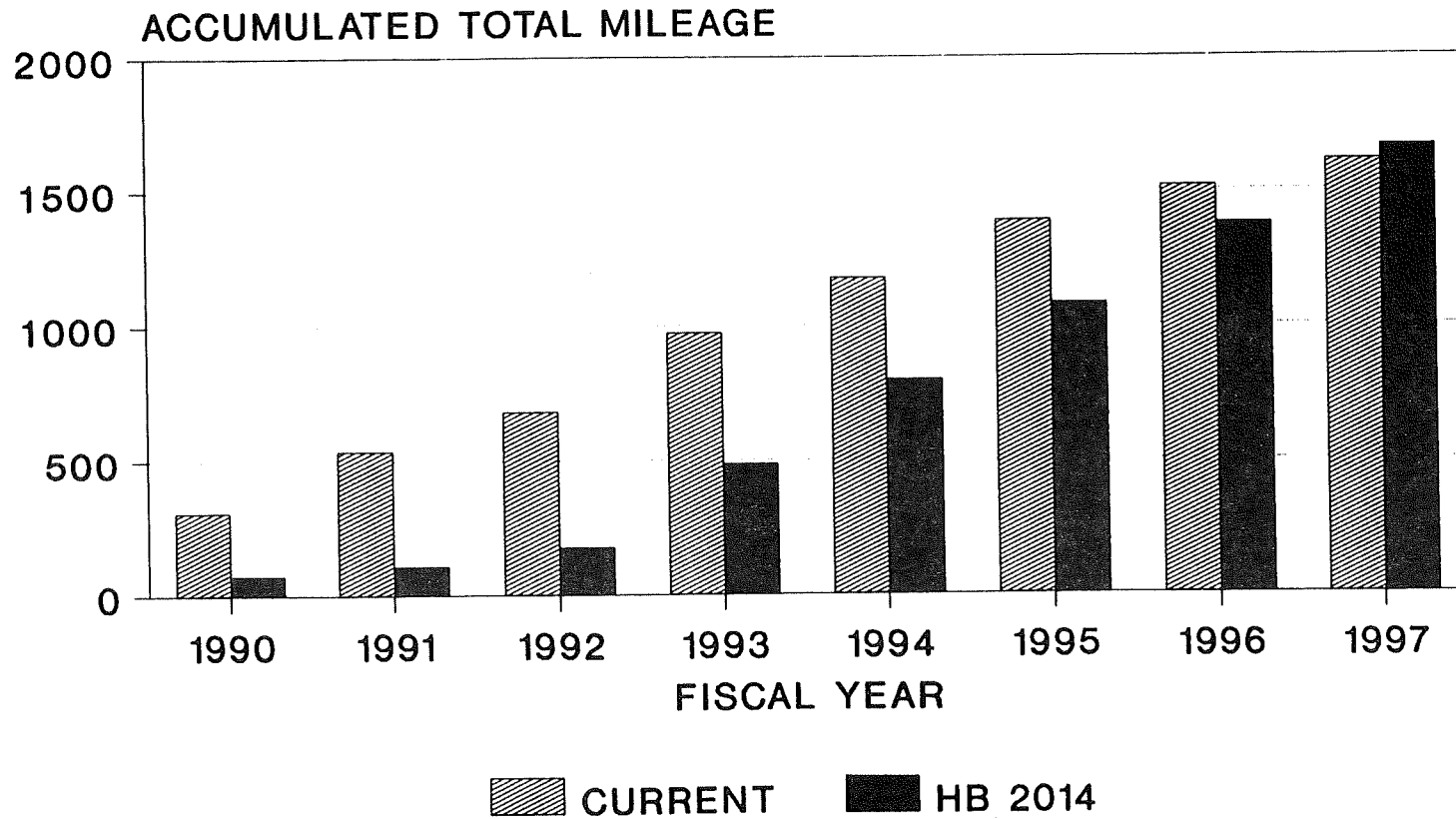
Progress Report

MAJOR MODIFICATION PROGRAM COMPARISON OF MILEAGE CURRENT* VS HB-2014



* As of December 1991

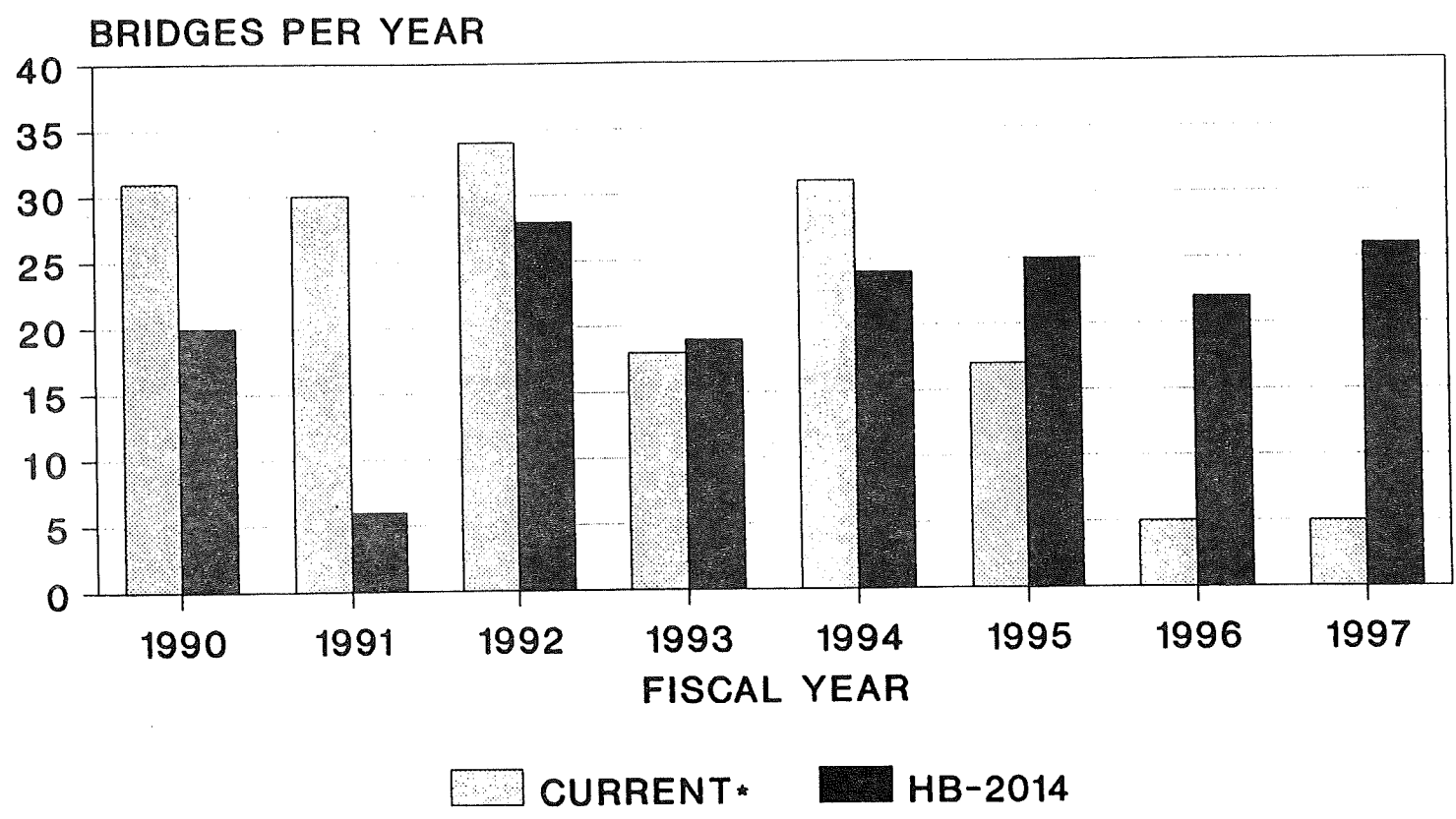
MAJOR MODIFICATION PROGRAM COMPARISON OF MILEAGE CURRENT* VS HB-2014



* As of December 1991

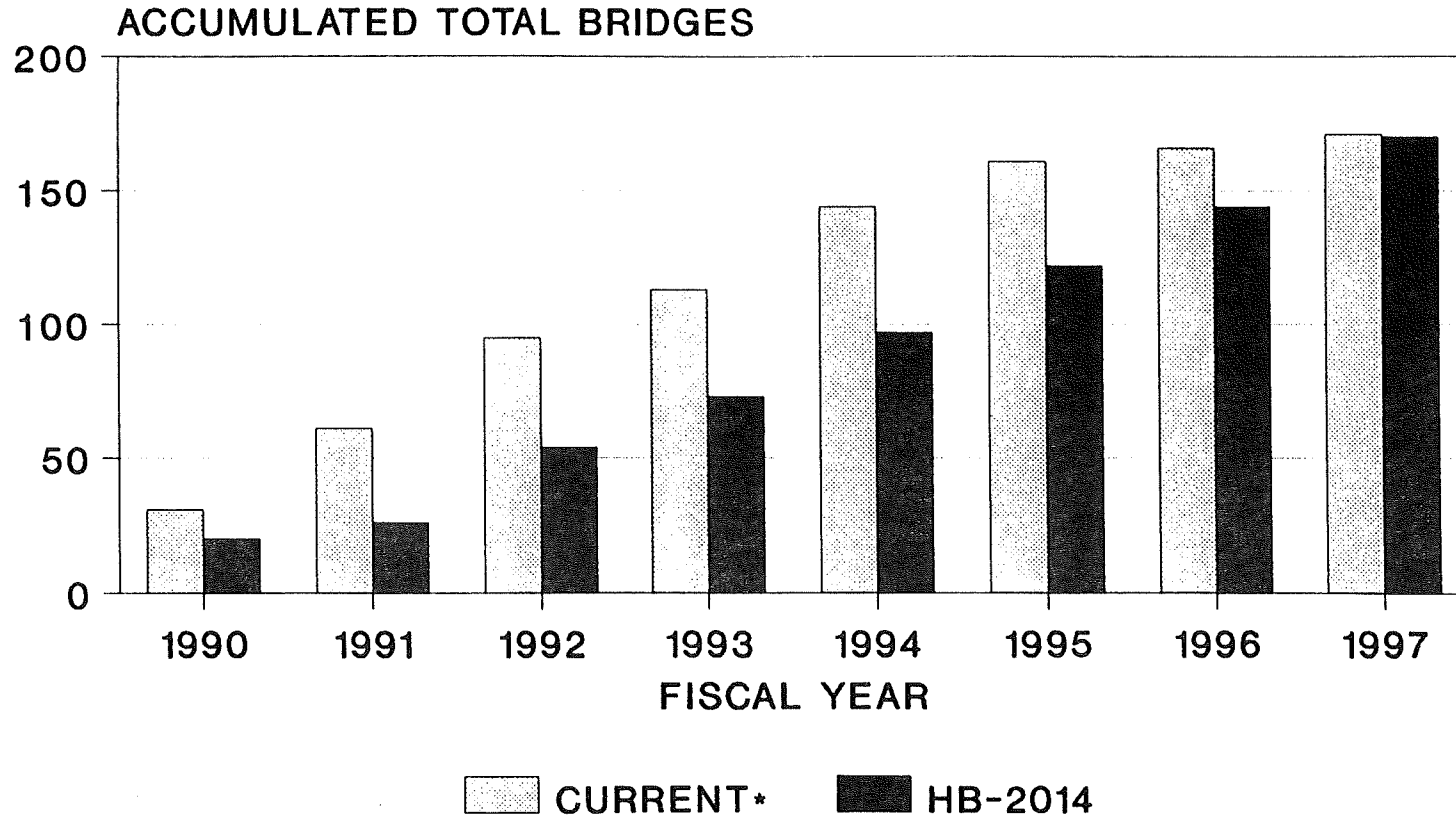
62/239
34/239

PRIORITY BRIDGE PROGRAM COMPARISON OF CURRENT* VS HB-2014



* As of December 1991

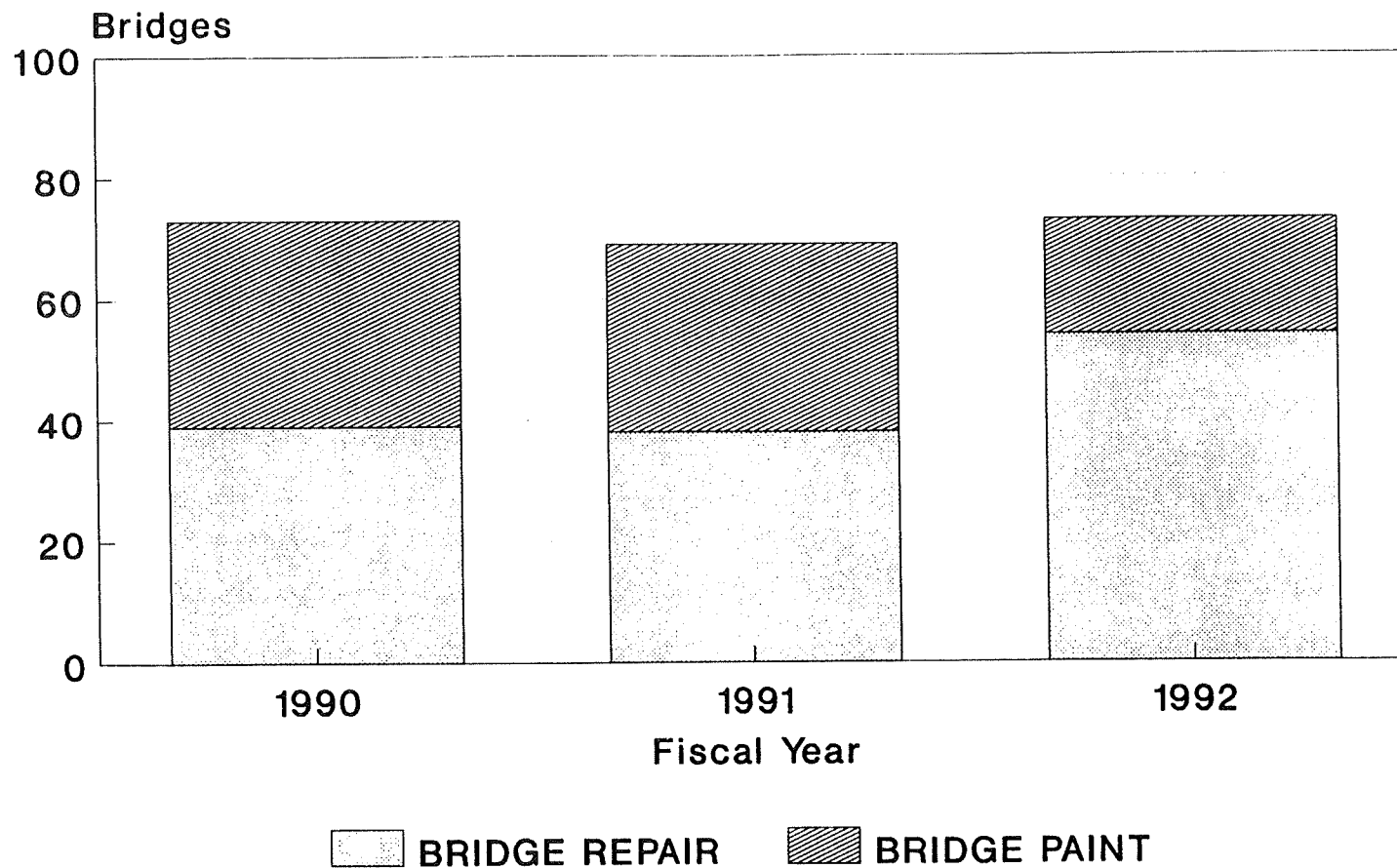
PRIORITY BRIDGE PROGRAM COMPARISON OF CURRENT* VS HB-2014



* As of December 1991

SUBSTANTIAL MAINTENANCE PROGRAM

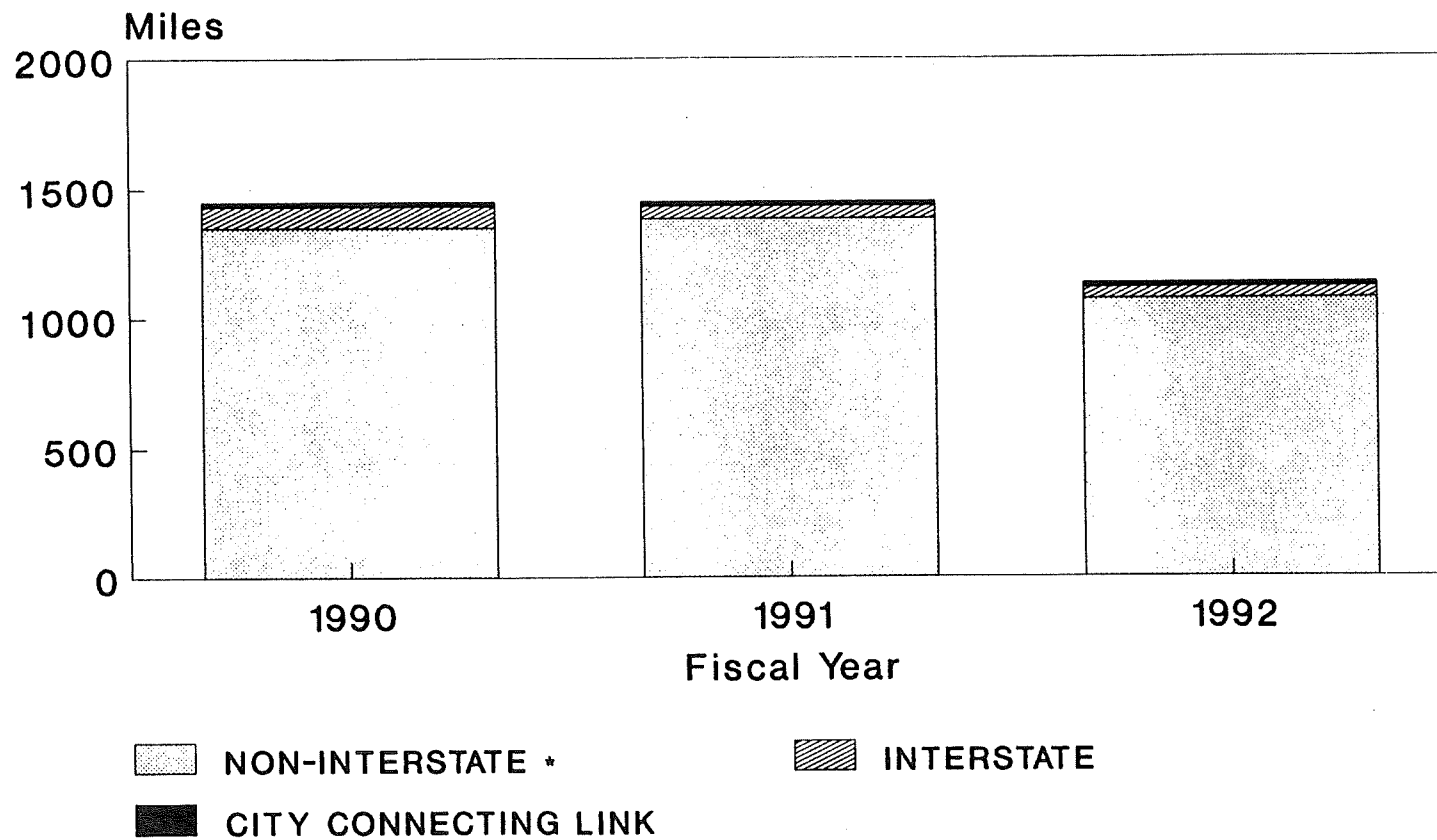
Bridge Repair and Painting



Note: As of December 1991

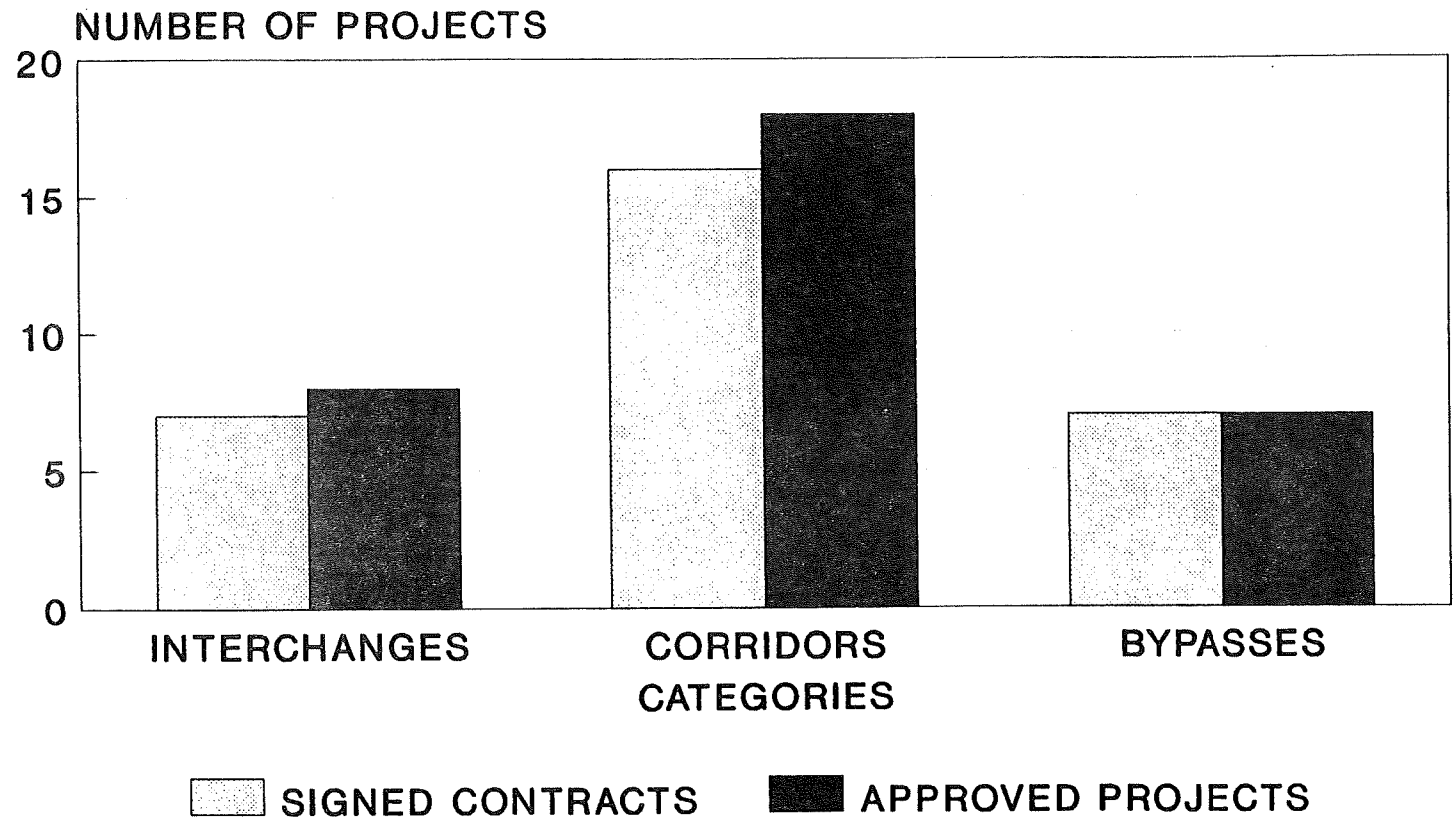
37439

SUBSTANTIAL MAINTENANCE PROGRAM Resurfacing



* Resurfacing and Contract Maintenance
Note: As of December 1991

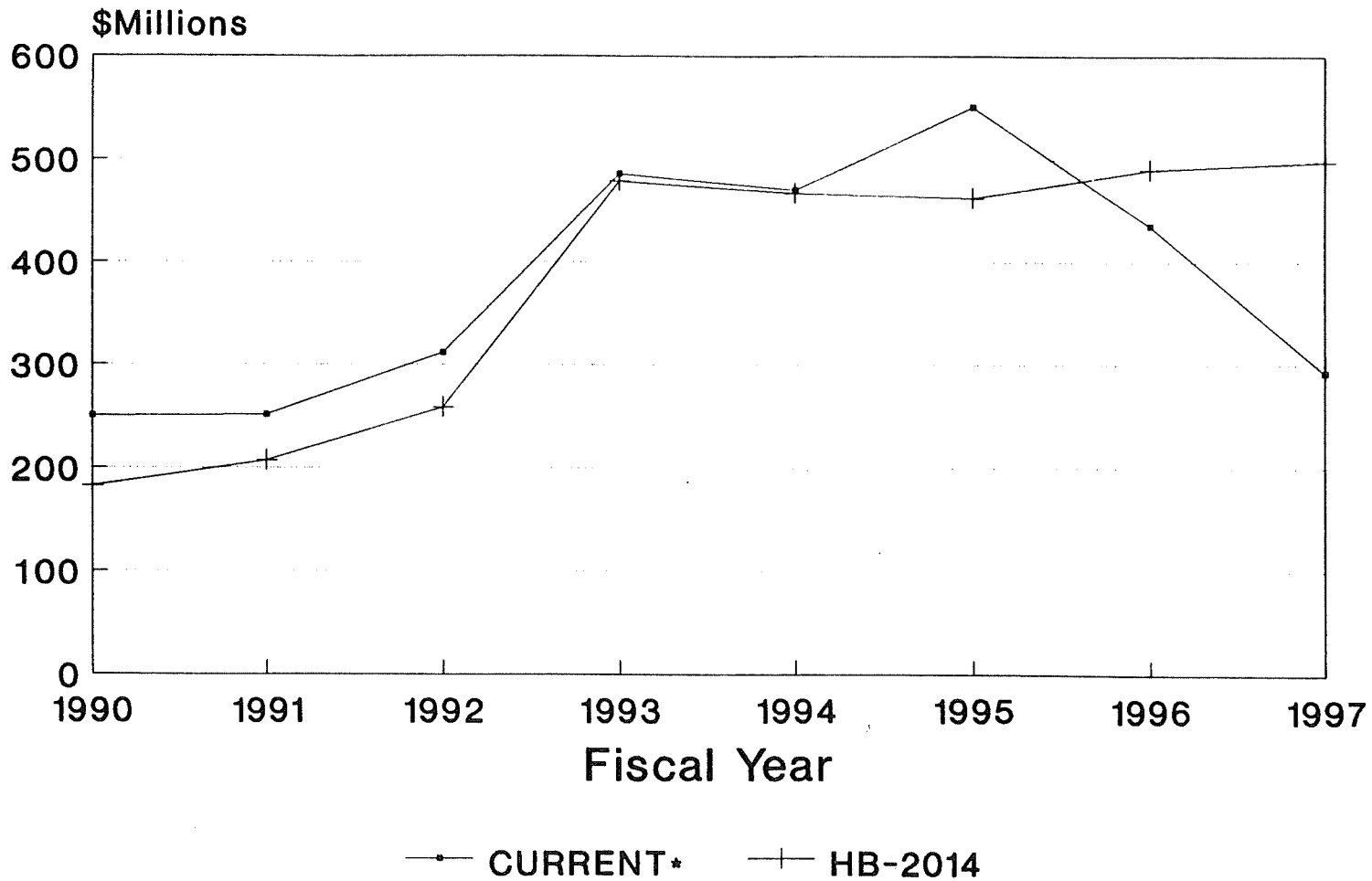
SYSTEM ENHANCEMENT PROGRAM COMPARISON OF SIGNED CONTRACTS TO APPROVED PROJECTS



Note: As of January 13, 1991

Feb 18
39439

Comparison of Construction Lettings



* As of May 31, 1991