

Approved: 1/31/95  
Date

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairperson Kenneth King at 1:30 p.m. on January 25, 1995 in Room 519-S of the Capitol.

All members were present except:

Committee staff present: Hank Avila, Legislative Research Department  
Tom Severn, Legislative Research Department  
Bruce Kinzie, Revisor of Statutes  
Mary Shaw, Acting Committee Secretary

Conferees appearing before the committee:

Representative Joan Flower  
William Deines, Quartermaster, VFW Post 10815, Meriden, Kansas  
Colonel Lonnie McCollum, Kansas Highway Patrol

Others attending: See attached list

Chairman King called the committee to order at 1:35 p.m. and recognized some students from Wichita Heights High School and their instructor, Richard Mix, who were visiting the Transportation Committee today.

The Chair opened hearings on **HB 2117, relating to motor vehicles; concerning license plates for recipients of the purple heart**, and called on Bruce Kinzie, Revisor, to give a brief overview of the bill. He stated the original bill would allow only one license plate for recipients of the purple heart and this bill would allow one additional plate.

The Chair recognized Representative Joann Flower who spoke in support of **HB 2117**. She testified that although most Purple Heart medal recipients who have purchased special tags have two vehicles, they are allowed only one purple heart recipient plate. She asked favorable consideration of this bill. (Attachment 1)

The next proponent to come before the committee was William Deines, VFW Post 10815 at Meriden, Kansas. He stated it was his feeling if a person had the experience of being wounded in a war for the people of the United States they should have the right to purchase and display a tag on any vehicle they own identifying this experience.

There were no opponents to this bill and the Chair closed hearings on **HB 2117**.

With the approval of the committee, hearings on **HB 2118** will be postponed until a later date at the request of Representative Jennison.

Chairman King opened hearings on **HB 2128, relating to the highway patrol; concerning motor vehicles thereof**.

The Chair recognized Representative Gene Shore. He cited a bill which was passed two years prior which doubled the vehicle registration fee so highway patrol cars could be traded every 45,000 miles and stated some of the negative results of that bill. He concluded the Kansas Highway Patrol should be a law enforcement agency first and foremost with the protection and safety of the citizens and safety of the officers to be the most important and the selling quality of used cars should not be their responsibility. (Attachment 2)

Revisor Bruce Kinzie stated the bill which was passed two years prior doubled the title fee not the registration fee and this generated approximately \$2.8 million in revenue. He also acknowledged the decision to use factory colored cars with lights inside was an administrative decision, not statutorily.

There being no other proponents, the chair called on Colonel McCollum of the Kansas Highway Patrol who spoke in opposition to **HB 2128**. He stated this bill would increase expenditures and decrease receipts to the

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION, Room 519-S Statehouse, at 1:30 p.m. on January 25, 1995.

Highway Patrol Motor Vehicle Fund compared to the amounts recommended by the Governor in FY 1996 as well as increase the workload on agency mechanics. Finally, he observed, the bill would have a long-term effect on the solvency of the Highway Patrol Motor Vehicle Fund, decreasing it to the point it would no longer be able to continue purchase of 205 vehicles per year. (Attachment 3)

Following questions from the committee, Chairman King closed hearings on **HB 2128**.

Representative Pottorff requested introduction of a bill which would designate the K-96 Highway in Wichita as the Bob Brown Expressway. A motion was made by Representative Shore that this legislation be introduced, seconded by Representative Correll and the motion passed.

Chairman King adjourned the meeting at 3:00 p.m.

The next meeting is scheduled for January 26, 1995.

# HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: January 25, 1995

NAME	REPRESENTING
Bob Giffin	KHP
William Deines	SELF VFW
Pete Miller	KSTA
Tom Whitaker	Ks Motor Carriers Assn.
Mary E. Turcington	Ks. Motor Carriers Assn
Jim Kelly	B.L.E.
Scott Alsepher	Div. of Budget
Richard Vix	Wichita Heights High School
Brian Paaty	" " " "
Tarek Mehmassani	" " " "
Mark Sheffield	" " " "
Patrick Jordan	" " " "
Evam Black	" " " "
Tristan Kimball	" " " "
Jonathan Polak	Wichita Heights High School
Bill Fuller	Ks. Farm Bureau
Rich McKee	Ks Livestock Assoc
ALAN COBB	city of Wichita
ML MANNING	KHP

# HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 1-25-95

NAME	REPRESENTING
S.C. RODINA	KHP
Jacquie Oakes	ATAA

JOANN FLOWER  
REPRESENTATIVE, 47TH DISTRICT  
JEFFERSON AND LEAVENWORTH  
COUNTY AREA  
P.O. BOX 97  
OSKALOOSA, KANSAS 66066-0097  
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STATE CAPITOL, RM. 426-S  
TOPEKA, KANSAS 66612  
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TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
CHAIR: AGRICULTURE  
MEMBER: ENERGY & NATURAL RESOURCES  
SELECT COMMITTEE ON DEVELOPMENTAL  
DISABILITIES

TESTIMONY ON HB 2117  
presented to the  
HOUSE TRANSPORTATION COMMITTEE

January 25, 1995

Thank you Mr. Chairman and committee members for the opportunity to testify on HB 2117. Some of you have known me as a nurse and chair of Public Health and Welfare, some of you also are aware that I have been married to a farmer 29 years, and now have a new legislative identity as chairperson of the House Agriculture Committee.

However, today I'm wearing a different hat--that of advocate and supporter of our veterans, especially those who because of their wounds in combat are recipients of the Purple Heart medal--individuals to whom we owe a debt we can never repay.

Some of them you can identify by the special license plate on their car. It is my understanding it took a long time to get them the privilege of having that license plate (which, by the way, they purchase).

It has come to my attention that although most have two vehicles, as many families do, they are allowed only one purple heart recipient plate. HB 2117 would allow them one additional special plate for that second vehicle.

I ask that you give favorable consideration to this proposal.

Are there questions? Thanks.

*House Transportation Committee  
January 25, 1995  
Attachment 1*



EUGENE L. SHORE  
 REPRESENTATIVE, 124TH DISTRICT  
 GRANT, W. HASKELL, MORTON,  
 STANTON AND STEVENS COUNTIES

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TOPEKA

HOUSE OF  
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS

VICE-CHAIRMAN: EDUCATION

MEMBER: TAXATION

MEMBER: TRANSPORTATION

Testimony on HB 2128

January 25, 1995

Two years ago we passed a bill which doubled the vehicle registration fee. This new revenue was to be used to replace highway patrol cars, many of which had over 100,000 miles. It was estimated that the new money would permit the patrol to trade cars every 45,000 miles. After receiving money to trade this often, they decided for only 45,000 miles it wasn't worth the money or time to paint the cars a distinctive color or to place permanent lights on the cars.

The result is that our highway patrol cars are various factory colored cars with lights inside the car on the dash and on the shelf behind the rear seat. These cars are almost impossible to distinguish from any other car from the front and, other than decals, from any other direction. For all practical purposes, we have unmarked highway patrol cars for the singular purpose of having a valuable fleet of used cars to trade in.

A few years ago, when money and gasoline were in short supply, the Kansas Highway Patrol testified to this committee that visibility was a most important aspect of law enforcement. They testified that a clearly visible highway patrol car parked beside the highway was as effective in most instances as a car on patrol. In Colorado and Wyoming I see old cars painted distinctive black and white with reflector lights on top parked beside the highway. They must feel there is benefit to patrol cars being visible.

Last summer in Topeka someone with lights inside the car stopped a lady who supposed it to be a patrolman. Obviously it was not a highway patrol car; the lady was taken to the country and raped.

I have had two officers tell me they believe the flashing lights inside the car may have caused a patrolman to miss seeing an approaching semi. He turned in front of the truck and was fatally injured.

I am scotch and practical enough to think it makes good business sense to buy standard colored cars, don't drill holes in them and maintain them well so they will have high resale value. I also know the mission of the highway patrol is law enforcement and the safety of the citizens of Kansas and of its officers.

I think the cars should be as visible as possible by being a distinctive color and with lights on top. The Kansas Highway Patrol should be a law enforcement agency first and foremost. The protection and safety of citizens and safety of the officers should be most important. Selling quality used cars should not be a responsibility or duty of the highway patrol. The cars are a tool, not a commodity.

**Kansas Highway Patrol  
Summary of Testimony  
Regarding House Bill 2128  
Before the  
House Transportation Committee  
Presented by  
Colonel Lonnie McCollum  
January 25, 1995**

**Bill Summary**

The bill would require all motor vehicles used by the Kansas Highway Patrol in performance of its statutorily assigned duties (as per KSA 74-2105 and 74-2108) to be painted a distinctive two-tone blue and grey combination and be equipped with fixed mounted rotating or oscillating lights. The bill would apply to all current Highway Patrol vehicles, as well as to all vehicles purchased in the future. The Superintendent of the Highway Patrol would be allowed, under provisions of the bill, to maintain a limited number of vehicles, for performing special functions or duties, which do not meet painting and lighting requirements of the bill.

**Fiscal Impact**

The bill would increase expenditures from the State General Fund and the Highway Patrol Motor Vehicle Fund and decrease receipts to the Highway Patrol Motor Vehicle Fund compared to the amounts recommended by the Governor in FY 1996. A summary of the one-time costs and the estimated recurring affect on expenditures and receipts is shown below:

	<u>EXPENDITURES</u>		<u>RECEIPTS</u>
	<u>One-time</u>	<u>Recurring</u>	<u>Recurring</u>
State General Fund	\$325,000	\$ 48,175	
Highway Patrol Motor Vehicle Fund		123,000	(\$205,000)
<b>TOTALS</b>	<b>\$325,000</b>	<b>\$171,175</b>	<b>(\$205,000)</b>

In FY 1996, the estimated impact would be an increase in expenditures of \$496,175, including \$373,175 from the State General Fund and \$123,000 from the Highway Patrol Motor Vehicle Fund. FY 1996 receipts to the Highway Patrol Motor Vehicle Fund are estimated to decrease by \$205,000. In FY 1997 and beyond, the bill would increase annual expenditures by an estimated \$171,175, including \$48,175 from the State General Fund and \$123,000 from the Highway Patrol Motor Vehicle Fund. Receipts to the Highway Patrol Motor Vehicle Fund would be reduced by \$205,000 each year.

*House Transportation Committee  
January 25, 1995  
Attachment 3*

**Initial Non-recurring FY 1996 Expenditures**

The bill would require all current vehicles to meet the specifications of the bill. Of our estimated 430 non-special duty vehicles, approximately 180 are currently configured compatible to the provisions of the bill. However, the remaining 250 would need to be retro-fitted with lights and paint to comply with the bill's provisions. Assuming a cost per vehicle of \$600 to paint each current vehicle blue and grey and an estimated \$100 to purchase a rotating light, a total of \$175,000 would be required.

In addition, the Patrol has committed contractually to the delivery of 250 Patrol vehicles with a single color scheme beginning in approximately March, 1995. Assuming these vehicles were put into service during FY 1996, additional expenditures of \$600 per vehicle for two-tone paint would be incurred, for a total of \$150,000.

Retro fit with lights	250	x	\$100	=	\$ 25,000
Retro re-paint	250	x	\$600	=	<u>\$150,000</u>
					\$175,000

Retro re-paint 250 ordered vehicles	250	x	\$600	=	\$150,000
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**TOTAL NON-RECURRING FY 1996 EXPENDITURES** \$325,000

**Recurring Expenditure and Receipt Adjustments**

Every year beginning with FY 1996, the Patrol would include in our bid specifications a two-tone blue and grey paint scheme. It is estimated that new car prices would be approximately \$600 more than a blue/grey color specification than without. Assuming the Patrol buys approximately 205 new vehicles annually, the bill would increase expenditures from the Highway Patrol Motor Vehicle Fund an estimated \$123,000.

The Patrol would also experience recurring costs when the vehicles are retired. Current practice has been to sell the older two-tone style retired patrol vehicles after the fixed lights have been removed and any holes repaired and the vehicle has been painted back to one solid color. The Patrol plans to retire approximately 205 vehicles annually. Assuming a cost of \$235 per vehicle to remove a fixed light, eliminate the two-tone paint scheme and repair any holes due to the installation of a fixed light, the bill would increase annual expenditures by a total of \$48,175.

The bill could affect the resale value of retired patrol vehicles. Beginning in FY 1994, the Patrol began purchasing solid color patrol vehicles, in accordance with the passage of 1993 SB 212. To date, only one of these solid color cars has reached the mile out point and been sold. However, the agency expects the re-sale value of solid color patrol vehicles to be approximately \$1,000 more than the re-sale value of comparable blue/grey vehicles which have been repainted a solid blue color.



Based on annual sales of an estimated 205 vehicles and an estimated \$1,000 reduction in re-sale values due to this bill, annual receipts to the Highway Patrol Motor Vehicle Fund would decrease by an estimated \$205,000.

The bill would increase the workload on agency mechanics. Our existing non blue/grey fleet is not factory wired for mounted lights; thus, adding a mounted rotating light would require additional mechanic staff hours. Also, although the Patrol would not perform the additional vehicle painting required by this bill, Patrol staff hours could be utilized ferrying vehicles to and from a paint shop. Both of these additional tasks would be difficult for the agency to absorb within existing levels of staffing.

Finally, the bill could potentially have a long-term effect on the solvency of the Highway Patrol Motor Vehicle Fund. Based on the above estimates, the bill would reduce fund balances by an estimated \$328,000 each year. With this amount reduced from the balances each year, the possibility exists that by approximately FY 1998 or FY 1999 the balances in the Highway Patrol Motor Vehicle Fund would no longer support the purchase of the 205 vehicles per year necessary to maintain a 45,000 mile out. If this point were reached, the Patrol would require additional State General Fund monies either for the increased maintenance anticipated with increasing the mile out rate beyond 45,000, or to supplement Highway Patrol Motor Vehicle Fund monies to allow the continued purchase of 205 vehicles per year.