

Approved: 2/7/95
Date

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairperson Kenneth King at 1:30 p.m. on February 2, 1995 in Room 519-S of the Capitol.

All members were present except:

Representative Pottorff, excused
Representative Wilson, excused

Committee staff present: Hank Avila, Legislative Research Department
Tom Severn, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
Ellie Luthye, Committee Secretary

Conferees appearing before the committee:

Representative Jack Wempe
Representative Gene Vickrey
Evelyn Davis, Transportation Director, Seaman School District

Others attending: See attached list

Chairman King called the meeting to order at 1:35 p.m.

The minutes of the Transportation Committee meetings of January 31st and February 1st were presented for additions or corrections. There being no additions or corrections the minutes were approved as presented.

The Chair recognized Representative Tom Bradley who requested introduction of a bill which would require, if a truck was stopped for a random inspection, and said truck was fitted with mud flaps, these flaps would be part of the inspection that was performed. Representative Shore made a motion for the committee to introduce this legislation, seconded by Representative Humerickhouse and the motion carried.

Representative Dawson requested introduction of a bill which would provide for distinctive license plates for recipients of the combat infantry badge and persons retired from the United States military. Representative Dillon made a motion for the committee to introduce this legislation, seconded by Representative Pauls and the motion carried.

Chairman King requested introduction of a bill which would allow ATV'S to operate on federal and state highway right-of-ways and incidentally move on the highway itself when involved in maintenance purposes. Representative Shore made a motion for the committee to introduce this legislation, seconded by Representative Mason and the motion carried.

The Chair opened hearings on HB 2147, providing for permanent registration of school district vehicles, and called on Bruce Kinzie for an overview of the bill.

Chairman King recognized Representative Wempe who appeared as a proponent for HB 2147. He stated this bill would conform licensing of school district owned vehicles to the policy utilized by other local governments and would involve a one-time license for a vehicle. (Attachment 1)

Following questions from the committee the Chair closed hearings on HB 2147.

Chairman King then opened hearings on HB 2199, concerning owners of registered vehicles which unlawfully pass school buses, and requested an overview by the Revisor.

Representative Vickrey presented testimony in support of HB 2199 and stated he had introduced this legislation in response to phone calls from school bus drivers who have experienced drivers ignoring the "STOP" sign and placing children's lives in danger. The provision in this bill would allow bus drivers to

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION, Room 519-S Statehouse, at 1:30 p.m. on February 2, 1995.

obtain the car license number and a description of the vehicle rather than the current provision that states the driver must identify the driver of the vehicle that is causing the violation. (Attachment 2)

Written testimony was presented by Barbara Pringle, Past President of the Kansas State Pupil Transportation Association, which urged passage of HB 2199. (Attachment 3)

Written testimony was also distributed from Karen Lowery, Coordinator of Governmental Relations of the Kansas Association of School Boards. (Attachment 4)

Representative Vickrey stood for questions. The Chair also recognized Capt. Bob Giffin of the Kansas Highway Patrol who answered questions from the committee.

Evelyn Davis, Transportation Director from the Seaman School District, requested permission to speak to the committee. She stated drivers passing stopped school buses, with the signal extended, was a definite problem and that it not only happens in the rural school districts but also on the city streets. She concluded the Seaman District was doing a survey by the bus drivers to record how many times in a week this incident happens. She stood for questions from the committee.

Following testimony by the conferees, Chairman King closed hearings on HB 2199.

Chairman King adjourned the meeting at 2:15 p.m.

The next meeting is scheduled for February 7, 1995.

STATE OF KANSAS

J. R. (JACK) WEMPE
REPRESENTATIVE, ONE HUNDRED THIRTEENTH DISTRICT
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TOPEKA

HOUSE OF
REPRESENTATIVES

Testimony - Jack Wempe
Transportation Committee
February 2, 1995

COMMITTEE ASSIGNMENTS
MEMBER: ECONOMIC DEVELOPMENT
TAXATION
JOINT COMMITTEE ON ECONOMIC
DEVELOPMENT

Chairman King and members of the Committee

HB 2147 conforms licensing of school district owned vehicles to the policy utilized by other local governments. It would involve a one-time license for a vehicle. The rationale is that the small annual licensing fee currently assessed is consumed by administration. This bill is my small contribution toward additional efficiency in government.

*House Transportation Committee
February 2, 1995
Attachment 1*

Thank you Mr. Chairman and members of the committee for this opportunity to explain HB 2199. I introduced HB 2199 in response to phone calls from two school bus drivers, one from Louisburg and one from Paola. Both bus drivers have routes on K-68, a two-lane highway, and on numerous occasions have had drivers pass while they have the "STOP" sign out. This places our children's lives in danger.

Since both of the bus drivers had no prior communication on this subject, it indicated to me that this wasn't an isolated event and is indeed a problem that most likely occurs every day, statewide. It is our responsibility to provide safety for our children.

HB 2199 expands the prosecution of these violators from a moving violation to the ability of the bus drivers to file a civil procedure. Currently, the bus drivers must be able to identify the driver of the vehicle that is causing the violation. This is a unique situation, not only does the bus driver not have a clear line of sight into another vehicle but at the same time must be concerned about the children.

Under the new provision, the bus drivers simply must obtain the car license number and a description of the vehicle deleting the requirement to make positive driver I.D. This would carry a \$50 fine and court costs but would ensure safer conditions for our children.

*House Transportation Committee
February 2, 1995
Attachment 2*

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KANSAS STATE PUPIL TRANSPORTATION ASSOCIATION

The Honorable Kenneth King
Kansas State Representative
Kansas Capitol Building
Topeka, Kansas 66612

February 2, 1995

Dear Representative King,

On behalf of the Kansas State Pupil Transportation Association I would like to express our support of House Bill 2199 concerning the unlawful passing of school buses.

Everyday throughout Kansas, many children are endangered by vehicles driven past the stopped school bus while the bus driver is loading and unloading children.

There are not any statistics available to inform you of the magnitude of this problem. The Kansas State Department of Education does collect national statistics concerning fatalities in the school bus loading zones, but it does not tell about all the near misses or injuries resulting from vehicles passing the stopped bus.

There has been at least one Kansas child killed by a passing vehicle in recent years.

For the safety of our children we urge you to pass HB 2199.

Thank you for allowing me to provide input on this very important subject. Please feel free to contact me at 316-341-2218. if you have any questions concerning this or any school bus safety issue. You may also reach at home evenings at 316-342-4009.

Sincerely,

Barbara Pringle

Past President

Kansas State Pupil Transportation Association

House Transportation Committee
February 2, 1995
Attachment 3



Testimony on H.B. 2199
before the
House Committee on Transportation

by

Karen Lowery, Coordinator of Governmental Relations
Kansas Association of School Boards

February 2, 1995

Mr. Chairman and members of the committee, thank you for allowing the Kansas Association of School Boards to present written testimony regarding H.B. 2199.

While KASB supports every effort to enforce the law of illegally passing a school bus, we have some concerns regarding this bill. As written, the driver of a bus may complete a form reporting the license plate number and other information regarding a vehicle that unlawfully passes the bus they are driving. The driver may then sign the report and deliver it to the county attorney or the district attorney.

What occurs if a report is not filed? If drivers do not report such incidents of unlawful passage, will the driver be held liable or face any penalties? Could the school board also be held liable?

At the same time, we are not suggesting that this become a mandatory requirement on school bus drivers. Mandating filing of reports would open both drivers and boards of education to liable situations for failure to comply. Being a school bus driver is difficult enough without further burdening the individual with reporting requirements.

We applaud the efforts of the sponsors of this bill. We also want to do everything possible to ensure the safety of children boarding and leaving buses, but we would like the committee to be aware of our concerns. We support bus safety but this response is not likely to improve the safety of school children or employees.

*House Transportation Committee
February 2, 1995
Attachment 4*