

Approved: 3/15/95
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES .

The meeting was called to order by Chairperson Ben Vidricksen at 9:00 a.m. on March 14, 1995 in Room 254-E of the Capitol.

All members were present except:

Committee staff present: Hank Avila, Legislative Research Department
Ben Barrett, Legislative Research
Bruce Kinzie, Revisor of Statutes
Martha Ozias, Committee Secretary

Conferees appearing before the committee:

Kyle Smith - Kansas Bureau of Investigation
Dennis Click - Woodson County Noxious Weed

Others attending: See attached list

HB 2446 - CONCERNING THE DIVISION OF VEHICLES

Testimony was read from Sergeant Terry Maple who requested support of this bill on behalf of the Highway Patrol. This bill would allow law enforcement agencies, conducting criminal investigations, access to digitized photographs currently maintained by the Division of Vehicles. This would prove extremely beneficial during criminal investigations. (Attachment 1)

Kyle Smith explained that last year legislation was passed authorizing funding for the Department of Motor Vehicles to use digital images in the production of Kansas drivers licenses. However the language used in the bill made access to the digital images more difficult to obtain than other information on the drivers license. Due to the need of law enforcement agencies to be able to identify or eliminate suspects at strategic times it is critical that law enforcement have ready access to this type of identification. He urged passage of this bill to set in place the capabilities to take advantage of the information and technology available. (Attachment 2)

HB 2432 - CONCERNING ALL-TERRAIN VEHICLES

This bill would allow the operation of all-terrain vehicles owned and operated by a county noxious weed department person, the right-of-way of any federal or state highway for the purpose of eradicating noxious weeds. Dennis Click explained that this method was certainly the most economical way to spray weeds along the highway and that passage of this bill would cut their costs considerably.

HB 2117 - CONCERNING LICENSE PLATES FOR RECIPIENTS OF THE PURPLE HEART

Testimony was distributed from Representative Joann Flower in support of this bill which would allow the issuance of more than one distinctive license plate to recipients of the purple heart medal who own one or more passenger vehicles. (Attachment 3)

Betty McBride stated that it was necessary to issue at least 500 tags to be economically feasible. The Staff pointed out that technical amendments would also be needed.

Senator Rock made a motion to amend the bill to require a minimum of 500 plates and allow the necessary technical amendments. This was seconded by Senator Jones and the motion carried.

A motion was made to pass this bill as amended. Senator Papay seconded this. Motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES, Room 254 E-
Statehouse, at 9:00 a.m. on March 14, 1995.

The Chairman asked for action on **HB 2432**. A motion was made by Senator Rock to recommend this bill as favorable for passage and place it on the Consent Calendar. A second was made by Senator Brady and the motion carried.

A motion was made by Senator Jones and seconded by Senator Burk to pass **HB 2446** favorably. Motion carried.

A motion to approve the minutes of the March 13th meeting was made by Senator Rock and seconded by Senator Papay. Motion carried.

Attention was then turned to **SB 254 - Concerning Salvage Vehicle Dealers**. A balloon version was distributed and the changes were reviewed.

Senator Papay made a motion to adopt the amendments to this legislation. A second was made by Senator Harrington and the motion carried.

A motion was then made by Senator Papay to pass the bill favorably as amended. Senator Harris seconded this. Motion carried.

The meeting was then adjourned by the chairman.

The next meeting is scheduled for March 15, 1995.

**KANSAS HIGHWAY PATROL
Summary of Testimony
In Support
of
1995 House Bill 2446
Before the
Senate Transportation & Utilities Committee
March 15, 1995
Presented by
Sergeant Terry L. Maple**

Good morning Mr. Chairman and members of the committee. My name is Sergeant Terry Maple and I appear before the committee today in support of HB 2446 on behalf of Patrol Superintendent Colonel Lonnie McCollum.

HB 2446 as introduced would allow law enforcement agencies conducting criminal investigations access to digitized photographs currently maintained by the Division of Vehicles (drivers license photos). This would prove extremely beneficial during many criminal investigations.

Many times law enforcement agencies conducting criminal investigations need to obtain photographs of persons involved. The photos help law enforcement officials identify or eliminate suspects and may help solve the case.

Two examples of the need for this access have occurred during the 1995 legislative session. Both involved threatening calls to legislators. In both instances suspects were eventually identified, however, investigators had no photograph available for use in the investigation. Access to a photograph would have helped investigators identify suspects quickly and be prepared if the suspect would have shown up in person.

In addition to the incidents cited, there are many other examples of how access to these photographs would aid law enforcement agencies conducting criminal investigations. It is with these considerations in mind that the Patrol respectfully requests that HB 2446 be favorably considered.

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LARRY WELCH
DIRECTOR

KANSAS BUREAU OF INVESTIGATION
DIVISION OF THE OFFICE OF ATTORNEY GENERAL
STATE OF KANSAS



CARLA J. STOVALL
ATTORNEY GENERAL

TESTIMONY
KYLE G. SMITH, ASSISTANT ATTORNEY GENERAL
KANSAS BUREAU OF INVESTIGATION
BEFORE THE SENATE TRANSPORTATION AND UTILITIES COMMITTEE
IN SUPPORT OF HOUSE BILL 2446
MARCH 14, 1995

Mr. Chairman and Members of the Committee:

I am here today on behalf of Director Larry Welch of the Kansas Bureau of Investigation, in support of HB 2446. Last year legislation was passed which is now contained in K.S.A. 74-2012, authorizing funding the Department of Motor Vehicles to use digital images in the production of drivers licenses in the State of Kansas. As some of you may remember, law enforcement supported this initiative, both as recognizing the changing technology, but also as creating a potentially very valuable data bank of information for law enforcement.

However, apparently in an oversight, the language that was used made access to the digital images more difficult than other drivers license information. This has resulted in confusion for the Department of Revenue as to when these images may be released. While there is limited application for the technology at this point due to the lack of funding for most law enforcement agencies, the potential for the use of these images in criminal investigations is staggering. For instance, the technology is currently available for a law enforcement officer to pull up on a portable computer at the scene of a crime, a digital image to allow instantaneous identification of a suspect and printing of wanted posters.

If these images are made available to law enforcement, it would become part of the investigative files and receive all the protections and privacy accorded to such files. For instance, they would not be a public record under the Open Records Act subject to disclosure. To assist law enforcement in criminal investigations as we approach the next century, we are asking passage of HB 2446 to set in place the capabilities to take advantage of the information and technology available.

I would be happy to stand for any questions.

HB 2446

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SENATE TRANSPORTATION
DATE: 3/14
ATTACHMENT: 2

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ADVISORY COMMITTEE — EX OFFICIO

TESTIMONY ON HB 2117
presented to the
SENATE TRANSPORTATION AND UTILITIES COMMITTEE

March 14, 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 House 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.