

Approved: 2/6/96
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 31, 1996 in Room 526-S of the Capitol.

All members were present except:
Representative Delbert Crabb, 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 Carol Dawson
Representative Darlene Cornfield
Representative David Adkins
Sgt. Gary Augustine, U.S. Army Reserve
Lynn Hall, State Jr. Vice Commander - VFW
Ralph Snyder, American Legion
Dean Carlson, Secretary, Department of Transportation
Sgt. Terry Maple, Kansas Highway Patrol

Others attending: See attached list

Representative Cornfield requested the committee introduce a bill for issuance of a special license plate to honor firefighters. Representative Shore made a motion to introduce this legislation, seconded by Representative Long and the motion carried.

HB 2681 - increasing fines for speeding

Hearings were opened. The Chair called on staff to give an overview of this bill.

Secretary of Transportation Dean Carlson presented testimony in support of **HB 2681**. He stated if the state adopts the higher speed limits that have been proposed, stiffer penalties for speeding would be in order. He continued the current fine structure has been in place since 1984 without adjustment. He concluded higher fines would emphasize the increased safety consequences of speeding above the higher speed limits and provide an incentive for improved compliance. (Attachment 1)

Sgt. Terry Maple, Kansas Highway Patrol, spoke on behalf of Colonel Lonnie McCollum, in support of **HB 2681**. He stated as we consider higher speed limits, it becomes imperative that drivers closely obey whatever limits are established. Appropriate fines thus become more important from a traffic safety standpoint. It was the position of the Kansas Highway Patrol the adjusted penalties would improve voluntary compliance with established limits and ultimately improve traffic safety in Kansas. (Attachment 2)

In response to questions from the committee staff will furnish a break down of court costs by counties.

The Chair closed hearings on **HB 2681**.

HB 2649 - providing distinctive license plates for veterans of foreign wars

Hearings were opened. The Chair called on staff to give an overview of this bill.

SFC Gary L. Augustine USAR, VFW, told the committee Kansas has the opportunity to show the rest of the country it's appreciation for its' veterans by having a special license plate for them. In closing, he stated Kansas gave the world one of the most important and well known veteran of foreign wars ever in Dwight D.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION, Room 526-S Statehouse, at 1:30 p.m. on January 31, 1996.

Eisenhower and this bill gives the State the opportunity to give his comrades special recognition. (Attachment 3)

Lynn Hall, Junior Vice Commander, VFW, stated there are approximately 262,000 veterans in Kansas and the creation of a "Veterans of Foreign Wars" license plate would be enthusiastically received by his fellow comrades. (Attachment 4)

Ralph Snyder, American Legion, stood in opposition to HB 2649 and HB 2737. He stated Kansas, in the past, authorized distinctive license plates for various veteran groups who were well deserving such as Prisoners of War, Combat Wounded, etc., however, by granting such status almost every group has begun soliciting the legislature for their own license plate and this places a financial burden upon the Division of Motor Vehicles. He suggested perhaps a solution would be to authorize the Department of Motor Vehicles to work in conjunction with veterans groups to establish distinctive license plates using the existing vanity or personalized plate and designing a veterans organization decal to be placed on the license tag. (Attachment 5)

Following questions by the committee the Chair closed hearings on HB 2649.

HB 2737 - retired military, special license plate

Hearings opened on HB 2737. Staff gave an overview of the bill.

Representative Myers stated he introduced this bill at the request of some of his constituents who are retired military personnel and who are proud of their service time and would like to commemorate it. Some other states have allowed this and Kansas retirees would like to have the same benefit.

In answer to a question from the committee, Betty McBride, Motor Vehicle Department, stated there were approximately 7,000 Purple Heart tags which have been issued.

Hearings were closed on HB 2737.

The Chair called on Representative Adkins who requested a statutory change in KSA 8-1, 142 in order to make it a useful statute. He stated this was the result of passage in 1994 of HB 2664 which gave Kansas educational institutions the opportunity to issue distinctive license plates. However, the major universities have concluded that the constraints imposed by the current statutory language are too severe to allow them to participate in the program. He reminded the committee he had introduced HB 2353 last session to correct the imperfections in the existing statute. He concluded educational institution license plates are one way that government can strive to be more entrepreneurial and also do more with less and therefore it is necessary to reduce barriers which make the current law unworkable. (Attachment 6)

The Chair adjourned the meeting at 2:40 p.m.

The next meeting is scheduled for February 1, 1996.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: January 31, 1996

NAME	REPRESENTING
<i>Silbert J. Augustine</i>	
<i>LYNN HALL</i>	<i>VFW</i>
<i>Guy L. Augustine</i>	
<i>Paul</i>	<i>KHP</i>
<i>TERRY MAPLE</i>	<i>KHP</i>
<i>Rick Scheibe</i>	<i>KDOR</i>
<i>Betty McBride</i>	<i>KDOR</i>
<i>John Smith</i>	<i>KDOR</i>
<i>Howard Ferguson</i>	<i>UTC</i>
<i>Ralph Snyder</i>	<i>American Legion</i>
<i>Ling Morrison</i>	<i>Army</i>
<i>Willie E. Richards</i>	<i>TROA</i>
<i>Mary E. Turkington</i>	<i>Ks Motor Carriers Assn.</i>
<i>Tom Whitaker</i>	<i>Ks Motor Carriers Assn.</i>
<i>Bill Watts</i>	<i>KDOT</i>
<i>Nancy Bogina</i>	<i>KDOT</i>
<i>Secretary Dean Carlson</i>	<i>KDOT</i>



KANSAS DEPARTMENT OF TRANSPORTATION

E. Dean Carlson
Secretary of Transportation

Docking State Office Building
Topeka 66612-1568
(913) 296-3566
TTY (913) 296-3585
FAX (913) 296-1095

Bill Graves
Governor of Kansas

**TESTIMONY BEFORE THE
HOUSE COMMITTEE ON TRANSPORTATION
Regarding H.B. 2681
Increasing Fines for Speeding
January 31, 1996**

Mr. Chairman and Committee Members:

On behalf of the Kansas Department of Transportation, I am here today to provide testimony in support of H.B. 2681. This proposed legislation would increase the fines for speeding.

The current fine structure has been in place since 1984. During that period of time, the effect of inflation has reduced the value of those fines by almost 47 percent. The increases proposed in this bill would restore that loss and provide for an actual increase, after inflation, of just over 50 percent.

Lower fines may have seemed reasonable when speed limits were lower, because the safety consequences of exceeding those limits were somewhat less serious. In addition, strict enforcement of the lower limits was probably impractical because of extensive public dissatisfaction and resulting noncompliance. If the State adopts the higher speed limits that have been proposed, stiffer penalties for speeding would seem to be in order. Higher fines would emphasize the increased safety consequences of speeding above the higher speed limits and provide an incentive for improved compliance.

*House Transportation Committee
January 31, 1996
Attachment 1*

Kansas Highway Patrol
Summary of Testimony
1996 House Bill 2681
before the
House Transportation Committee
January 31, 1996

Good afternoon Mr. Chairman and members of the Committee. My name is Sergeant Terry Maple and I appear before you on behalf of Colonel Lonnie McCollum, Superintendent of the Kansas Highway Patrol, in support of HB 2681 which amends penalties for speeding violations.

Because Kansas is in the process of reviewing and adjusting speed limits the Patrol feels it appropriate to review penalties for speeding violations as well. As we consider higher speed limits, it becomes imperative that drivers closely obey whatever limits are established. Appropriate fines thus become more important from a traffic safety standpoint.

The current fine schedule for speeding has been in effect since 1984 without adjustment. We feel the penalties established in House Bill 2681 are appropriate and will send the message that compliance with speed laws is important. The adjusted penalties will improve voluntary compliance with established limits and ultimately improve traffic safety in Kansas.

Therefore, we respectfully request your favorable consideration of House Bill 2681.

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*House Transportation Committee
January 31, 1996
Attachment 2*

SUBJECT: LICENSE PLATES FOR VETERANS OF FOREIGN WARS.

TESTIMONY BY: SFC GARY L. AUGUSTINE USAR
ELLIS, KANSAS

It is both an honor and a privilege to be here today to give testimony for the people like myself that have served in a foreign war, for this great country.

Today is marking the start of an opportunity for the state of Kansas to show the rest of the country it's appreciation for it veterans, by having a special license plate for them.

As you know , by your own service to the state of Kansas, you share a special camaraderie with your counterparts, service to your government and it citizens.

This is also true for the service men and women that have served in a foreign wars.

Picture your self in another state on vacation or business. You see another Kansas license plate. Immediately you share something in common with that person, being a citizen of this great state of Kansas.

Lets take that one more step, he or she has a veterans of foreign wars license plate from Kansas. The plate will not only identify this person as a veteran but it will also tell the world that the heart of the United States, Kansas, is proud of it veterans of foreign wars.

The military is said to be the largest sorority and fraternity in this country. With no significant cost to the state, in fact, this special project may even generate revenue for the state. We will be able to draw on this in helping sell Kansas to other veterans of foreign wars.

*House Transportation Committee
January 31, 1996
Attachment 3*

We also have an obligation to tell our young people that the price of freedom is not free. As we travel the highways and roadways of Kansas with the veterans of foreign wars license plates, it will act as a reminder to all of us, of that price of freedom . By showing special recognition to the veterans we will have in place an incentive for these young people that inevitably will serve in future foreign wars.

Many of your fathers and grandfathers have served in foreign wars, maybe a brother or a sister also may have served in a more recent conflicts like Vietnam or Desert Storm.

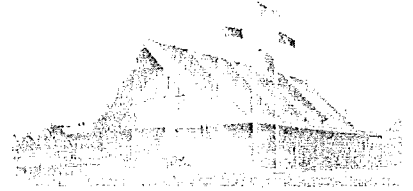
What better way to recognize the service they have done for our freedom.

In closing , I can't help thinking that the state that gave the world one of the most important and well known veteran of foreign wars ever, Dwight D. Eisenhower, would miss this opportunity to give his comrades this special recognition that we are here today asking for.

THANK YOU!



VETERANS OF FOREIGN WARS OF THE UNITED STATES



DEPARTMENT OF KANSAS
01-31-96

TESTIMONY IN SUPPORT OF HB2649

AN ACT relating to motor vehicles; providing for distinctive license plates for Veterans of Foreign Wars.

The Veterans of Foreign Wars, Department of Kansas, is in favor of the passage of HB2649.

The Veterans of Foreign Wars of the United States, Department of Kansas, consists of 43,000 members and there are approximately another 40,000 veterans of foreign wars in Kansas who are not members of our organization.

According to information recently received from the Kansas Commission on Veterans affairs, Kansas currently has a veteran population of 262,000. This includes approximately 13,900 Persian Gulf veterans, 81,000 Vietnam era veterans, 38,200 Korean Conflict veterans; 76,200 WWII veterans and 200 World War I veterans.

In our opinion, there is little doubt that the creation of a "Veterans of Foreign Wars" license plate will be enthusiastically received by our fellow comrades at arms.

Your favorable consideration of HB2649 will be greatly appreciated.

Thank you.

Respectfully submitted:

Lynn Hall
Junior Vice Commander
Veterans of Foreign Wars
Department of Kansas

Darrell F. Bencken
Adjutant-Quartermaster
Veterans of Foreign Wars
Department of Kansas

House Transportation Committee
January 31, 1996
Attachment 4

DEPARTMENT HEADQUARTERS, P.O. BOX 1008, TOPEKA, KS 66601-1008
Phone (913) 272-6463 - Fax (913) 272-2629

ROY WILLIAMS
State Commander
1419 Hale Drive
Junction City, Kansas 66441-1830

GERALD MANGOLD
State Sr. Vice Commander
R.R. 1, Box 20
Tribune, Kansas 67879-9711



LYNN HALL
State Jr. Vice Commander
P.O. Box 1935
Topeka, Kansas 66604-0935

DARRELL BENCKEN
State Adjutant Quartermaster
P.O. Box 1008
Topeka, Kansas 66601-1008

Testimony Presented to
The Kansas House of Representatives Transportation Committee
On House Bills 2649 and 2737

Thank you for granting me this opportunity to address your Committee in opposition to House Bills 2649 and 2737 which would provide for the authorization of distinctive license plates to identify the vehicle's owner as having served in the United States Armed Forces during a certain era and/or for a specific length of time. The State of Kansas has in the past authorized distinctive license plates for various veteran groups such as those who were Prisoners of War, Combat Wounded and members of the Kansas National Guard, etc. Each of those groups are well deserving of a distinctive or special vehicle license plate.

However granting such status has opened a Pandora's box in that almost every group has begun soliciting the legislature for their own license plate. These groups range in size from those who served during World War II and other specific wars such as Korea and Vietnam to the recipients of certain military decorations such as the Combat Infantry Badge and Combat Action Ribbon.

Each such request places an additional financial burden upon the Division of Motor Vehicles whose funding is not normally reimbursed through the purchase of these special tags.

Further, although HB 2649 does not specifically identify the Veterans of Foreign Wars as a national organization of veterans who served in various theaters of operation during specific times, the verbiage "veterans of foreign wars" certainly would lead the observed to draw that conclusion. No offense meant to The American Legion's fellow veterans organization; but if the VFW is to have a special plate identifying its members, or potential members, then why not an "American Legion" tag because our members far out number the VFW thus the potential for greater sales of a special tag exists.

Perhaps a solution to the situation now before this Committee, and to stem the tide for an almost certain continuation of various veterans groups seeking distinctive license plates would be to authorize the Department of Motor Vehicles - working in conjunction with veterans groups - to establish distinctive license plates by using the State's existing vanity or personalized plate.

That is; authorize the addition of a two or three inch veterans organization decal similar in composition to the county identification sticker currently placed on license tags. Provided that a deadline of perhaps a year in duration be established to allow each veterans groups to directly reimburse the Division of Motor Vehicles all production costs for a minimum of five hundred (500) such decals and all future decal orders in multiples of five hundred (500).

*House Transportation Committee
January 31, 1996
Attachment 5*

Each veteran should then be allowed one (1) organizational decal per license plate which would be placed either to the viewers extreme left or right side of the tag with the remaining spaces utilized in the normal fashion for personalized or vanity plates.

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

STATE CAPITOL
TOPEKA, KANSAS 66612
(913) 296-7678

RESIDENCE
8021 BELINDER ROAD
LEAWOOD, KANSAS 66206
(913) 341-1232



COMMITTEES:
CHAIRMAN SELECT COMMITTEE ON
JUVENILE CRIME
CHAIRMAN JOINT COMMITTEE ON ARTS AND
CULTURAL RESOURCES
MEMBER FEDERAL AND STATE AFFAIRS
JUDICIARY

REPRESENTATIVE DAVID ADKINS
TWENTY-EIGHTH DISTRICT

Testimony before the House Committee on Transportation

Regarding Distinctive License Plates

Dear Mr. Chairman and Members of the Committee,


It is my pleasure to appear before you today to discuss what I believe are needed statutory changes in order to make KSA 8-1,142 a useful statute. As you may know, KSA 8-1,142 is the result of passage of 1994 House Bill 2664. That House Bill, enacted into law, created the opportunity for Kansas educational institutions to issue distinctive license plates with the proceeds from the sale of such distinctive plates being utilized to recognize academic excellence at the subject educational institution. Subsequent to the enactment of House Bill 2664 the major universities in our state have concluded that the constraints imposed by the current statutory language are too severe to allow them to participate in the program. Consequently, a significant opportunity has been lost.

I would ask that in considering House Bill 2649 and House Bill 2737 that you consider advancing legislation similar to that contained in House Bill 2353. I introduced House Bill 2353 last session to correct the imperfections in the existing statute. Attached to my testimony is a letter I recently received from an individual that has championed the educational institution distinctive plate law. Additionally, I have provided you with some information from the Bureau of Motor Vehicles in the State of Indiana. I believe that Kansas law should be tailored very similar to that in Indiana since Indiana currently has one of the most successful distinctive educational institutionalized license plate programs in the country.

Educational institution license plates are one way that government can strive to be more entrepreneurial and also do more with less. We must reduce barriers which make the current law unworkable. I would respectfully request that legislation be considered this session which would amend the current law and allow for our universities to participate in the issuance of distinctive educational institution license plates.

Again, I appreciate this opportunity to discuss these concerns with the committee.

Respectfully submitted,


David Adkins

House Transportation Committee
January 31, 1996
Attachment 6

WIL CAT BROADCASTING, IC.

P.O. BOX 406
WAMEGO, KANSAS 66547
913-456-4262
FAX: 913-456-7163

January 17, 1996

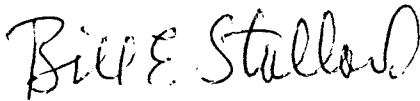
Rep. David Adkins
State Capital
House of Representatives
Topeka, Kansas 66612

Dear Rep. Adkins,

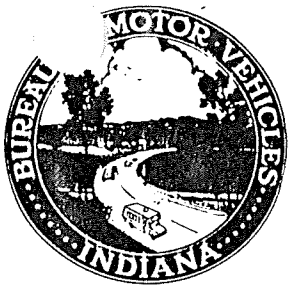
I am writing in regard to House Bill No. 2664 the college license plate legislation that was passed into law during the 1994 session.. The law is not workable in its present form. I have met with the executive director of the Kansas State University Alumni Association, Amy Renz, and she is willing to work for changes in the current law so that this can work for hundred of thousands of dollars that could be raised for college scholarships across the state of Kansas.

I have enclosed copies of laws on the books in Montana, Indiana, and Florida, that sell these plates as Kansas sells their personalized plates today. This could be done in Kansas through the local county treasures office as we purchase and order personalized tags today. Please look over the enclosed information and if I can be of any help in getting this law changed to a workable level please let me know. I came to the statehouse 2 years ago with this idea and testified on its behalf, but somehow it was changed in its final form so that it would not work for the colleges of the state. I believe new legislation should be placed in a new bill to amend House Bill No. 2664 of the 1994 session. Thank you for your help and I look forward to hearing from you.

Sincerely,



Bill E. Stallard



STATE OF INDIANA
BUREAU OF MOTOR VEHICLES
100 NORTH SENATE AVENUE
INDIANAPOLIS, INDIANA 46204

GILBERT L. HOLMES
COMMISSIONER

GROUP RECOGNITION LICENSE PLATE PROCEDURES

DEFINITION OF ELIGIBLE GROUPS

IC9-13-2-170 defines a special group as a class or group of persons that the bureau finds:

1. has made significant contributions to the United States, Indiana, or the group's community; or
2. are descendants of native or pioneer residents of Indiana.

GROUP RESPONSIBILITIES

PETITION

By April 1 of the year prior to plate distribution, the group must complete the petition form included in this packet and submit it to the Commissioner of the Bureau of Motor Vehicles along with:

1. A statement which affirms the organization's adherence to non-discriminating membership practices on the basis of age, race, color, religion, sex, national origin or disability and;
2. A copy of the the organization's charter or article of incorporation.

The petition will be reviewed by the Commissioner and the group will be advised when the decision to approve or deny the petition has been made.

PLATE DESIGN

The group is responsible for the development of the plate design. You must submit a preliminary design on or before April 1 of the year prior to plate distribution. The design will be reviewed for content and adherence to the plate guidelines. Once the design has been approved, it can be used in promoting the plate.

Camera ready artwork, which meets prescribed BMV standards, may be submitted at any time after the approval of the preliminary design, but no later than the due date of the initial order (August 1).

MARKETING

The group will accept full responsibility for the marketing of the license plates. However, the Bureau must be informed of each group's marketing plans and copies of any promotional material will be reviewed by the Bureau for content and adherence to the guidelines before they are distributed. Because marketing time is limited, the group should submit their material for review as soon as possible after the petition is approved.

The Bureau of Motor Vehicles will promote specific plates as opportunities present themselves through the media or special events. The Bureau will also publish a list of all available plates and information on how to contact the group.

VERIFICATION OF CUSTOMER ELIGIBILITY

The group is responsible for the verification of applicant eligibility. This is accomplished through the issuance of validated authorization forms by the group. A validated authorization is one which has been reviewed by the group and signed by their authorized representative(s) and validated with an original stamp or seal. The stamp or seal may be in the form of a unique rubber stamp or embossed seal which identifies the group. The original validation stamp is what indicates authenticity to license branch personnel. No plates will be issued unless the authorization is stamped.

Two sample copies of a validated authorization must be submitted to the Bureau to be used for verification of authenticity. The sample copies should be clearly marked as "samples".

The authorization forms will be supplied by the BMV and may be duplicated by the group. The group may also include a logo or personalize the authorization form providing that the basic format is not changed.

ORDER PLACEMENT

Two separate orders for Group Recognition License Plates must be placed with the Bureau of Motor Vehicles.

Initial plate orders for the first year of distribution must be placed with the Bureau by August 1 prior to issuance of plates in January. The order must be placed only for the number of authorizations that the group has issued. An initial plate order will not be accepted unless at least 200 authorizations have been issued.

The initial plate order for existing plates is due no later than September 1 prior to the issuance of the plates in January. An initial plate order will not be accepted unless the minimum of 200 authorizations have been issued.

A follow-up order may be placed no later than November 15. No additional orders or requests will be accommodated after this date.

Each authorization form must indicate the license branch where the applicant usually conducts their BMV business. Orders must be placed in a format which shows the total number of authorizations issued for each license branch.

PRODUCTION SET UP COSTS

The group will also incur a one time production set up charge which can range from \$75.00 to \$490.00 depending on the design complexity, number of plates ordered, and the number of colors used in the plate design. These fees are subject to change on an annual basis. An additional fee may be incurred if adjustments must be made to the camera ready artwork by the Department of Corrections.

LOW OR SPECIAL NUMBER PLATE REQUESTS

The Bureau will allow groups to specifically assign up to fifty (50) license plate numbers. It shall be the responsibility of the group to determine the recipients of these plates. A list of the plate number, the persons to whom they are assigned, and the customer's license branch location must be submitted to the Bureau at the time of the initial order.

A "Special Recognition License Plate Authorization for Special Number" form must be completed for each of the special number people and submitted to the license branch with the authorization form.

We will only order those "low numbered" (numbered under 100) plates listed on the special number list.

****PLEASE NOTE**** The issuance of special or low numbers is an option, not a requirement. You may choose not to participate if you wish.

Special number requests after the date of the initial order will not be accomodated.