

Approved: 2/13/96
Date

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairperson Kenneth King at 1:30 p.m. on February 8, 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:
Ron Hein, MESA, Inc.
Mary Turkington, Kansas Motor Carriers Association
Nancy Bogina, Department of Transportation

Others attending: See attached list

Ron Hein, Mesa, Inc. requested introduction of a bill which would clarify a section of **HB 2161**, concerning alternative fuels, providing certain tax credits, which was passed in 1995. He stated the intent of the bill was to put a limit on the tax credit that was permitted under the act, however, the way it was enacted it was placed on a limit per vehicle. The act also allowed a credit on compression property with no limit on the tax credit. He requested introduction of a bill which would allow tax credit on non-vehicle property to not exceed \$50,000.

Representative Shore made a motion to introduce this legislation, seconded by Representative Myers and the motion carried.

HB 2667 - relating to all-terrain vehicles

Staff presented a balloon which reflected the amendments offered by the committee on February 8th. In Section 2 © "no all-terrain vehicle shall be operated on any public highway, street or road between sunset and sunrise unless equipped with lights as required by law for motorcycles."; striking new Section 3; striking old Section 6 and adding a new Section; striking Section 10, Section 11, Section 12; and renumbering all sections.

Representative McKinney made a motion to pass substitute for **HB 2667** as presented, seconded by Representative Shore and the motion carried.

HB 2679 - regulating traffic; concerning permits for oversize and overweight vehicles

Representative Shore made a motion to pass **HB 2679** favorably, seconded by Representative Pottorff.

Representative Pauls made a substitute motion, and presented a balloon, which would emphasize that the present status of triple trailers remain as they are presently and not affected by a change in the bill. The rest of the bill would remain the same. Representative McKinney seconded.

In response to questions, the Chair recognized Mary Turkington, Kansas Motor Carriers Association, who stated the issue addressed by this amendment is already in another statute and this would put it in a special permit section. It was the feeling of the Association that this jeopardizes the grandfather special permit authority that the Department of Transportation has.

The Department of Transportation was asked for their opinion and Nancy Bogina, representing the Department, stated from her recollection a year ago, that the Department Chief Counsel, Mike Rees, was of the

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION, Room 526-S Statehouse, at 1:30 p.m. on February 8, 1996.

Upon questioning, it was the opinion of the committee staff that this amendment would have no adverse effect on this legislation.

The Chair called for a vote on the substitute motion and the motion failed.

The Chair called for a vote on the motion to pass **HB 2679** favorably and the motion carried.

At the request of committee, the Chief Counsel for the Department of Transportation, Mike Rees, will be asked to be made available to the committee to clarify the Department's position on the amendment which was offered by Representative Pauls.

The Chair adjourned the meeting at 2:10 p.m.

The next meeting is scheduled for February 13, 1996.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: February 8, 1996

NAME	REPRESENTING
Bill Watts	KDOT
Ken Gudenkauf	KDOT
Lina Brown	Peterson Group
Ron Herin	Mesa
Nancy Bogina	KDOT
Madeline Jean Smith	KMHA
Mary E. Turkington	Ks. Motor Carriers Assn.
Tom Whitaker	Ks. Motor Carriers Assn.
Bob Totten	Ks. Contractors Assn.
Mike Rode	MARS
Lew Jene Schneider	Ks. Livestock Assn.
Ramon A. Wink	KNA.
Mike Meacham	KARA
Pat Hahill	Kansan Railroad Assn.