

Approved: 2/20/96
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 15, 1996 in Room 526-S of the Capitol.

All members were present except:
All members present

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:
Harris Terry, McPherson County Commissioners
Tom Whitaker, Kansas Motor Carriers Association

Others attending: See attached list

The Chair called for the Sub-Committee report on Special License Plates and recognized Representative Don Myers, the Chairman of the Sub-Committee. Representative Myers submitted his report and stated the recommendation of the committee was for the full committee to refrain from any further consideration of specialized license plate legislation and for an interim committee be appointed to study the subject. (Attachment 1) He then asked Representative Pauls, a member of the committee, to give her report.

Representative Pauls stated the Sub-Committee strongly recommends an interim committee be appointed to study and discuss 1) the design of a standardized generic background Kansas license plate 2) possibility of privatizing the issuance of personalized plates 3) the availability of new technology for the Department of Revenue to change how tags are produced and 4) discussion of whether two plates should be required for all vehicles. (Attachment 2)

Representative Shore made a motion to adopt the report and request an interim committee be appointed, seconded by Representative Donovan and the motion carried.

HB 2809 - counties, disposition of fines for size and weight violations.

Hearing opened. The Chair called on Harris Terry, McPherson County Commissioner, to speak in support of this bill.

Mr. Terry told the committee at the present time all fines for vehicular size and weight violations are remitted to the state treasurer. **HB 2809** would allow counties with a designated weight officer to receive 50% of the revenues collected from these fines which would assist counties in funding designated weight officer and required equipment. McPherson County has employed a law enforcement officer, since 1970, who is designated to enforce the vehicular weight limits on township and county roads. He continued one of the reasons for the deteriorating infrastructure in the county is due to increased loading effects of vehicular equipment and with the employment of a weight officer, McPherson County is able to enforce size limits and weight limits on county and township roads. It is the feeling of the Commission that employing a weight officer reduces the number of overweight vehicles traveling on county roads and in turn this helps reduce the need for increased federal, state and local taxes in maintaining county roads and bridges. (Attachment 3)

The Chair recognized Tom Whitaker who presented testimony in opposition to **HB 2809**. He stated the opposition of the Kansas Motor Carriers Association was the provision which diverted 50% of the fines collected. Their concern was this proposed provision would apply whether the size and weight violation resulted from the county's weight officer enforcement or by a Kansas Highway patrolman or other state enforcement. If this were the case, the impact of the bill would go far beyond McPherson county as these

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION, Room 526-S Statehouse, at 1:30 p.m. on February 15, 1996.

finances collected are credited to the state general fund and are credited to the crime victim compensation fund and the crime victims assistance fund, which in turn are used by the county or district attorney to establish and maintain programs to aid witnesses and victims of crime. He urged the committee to oppose this bill. (Attachment 4)

Following questions by the committee the Chair closed hearings on **HB 2809.**

HB 2681 - regulating traffic; increasing the fines for speeding

The Chair opened **HB 2681** for discussion and final action. Following discussion by the committee, Representative Shore made a motion to table this bill, seconded by Representative Dillon and the motion carried.

Chairman King adjourned the meeting at 2:10 p.m.

The next meeting is scheduled for February 20, 1996.

DON MYERS
REPRESENTATIVE, 82ND DISTRICT
SEDGWICK COUNTY
613 BRIARWOOD
DERBY, KANSAS 67037
(316) 788-0014 HOME



COMMITTEE ASSIGNMENTS
VICE CHAIR: TRANSPORTATION
MEMBER: ENERGY AND NATURAL RESOURCES

STATE CAPITOL BUILDING, ROOM 175-W
TOPEKA, KANSAS 66612-1504
(913) 296-7696

TOPEKA
HOUSE OF
REPRESENTATIVES

Sub-Committee Report on Special License Plates
Transportation Committee
February 14, 1996

Mr. Chairman, the specialized license plate sub-committee met on three occasions and are prepared to provide a report to this committee. Mr. Chairman, the committee recommendation is that the full committee on Transportation refrain from any further consideration of specialized license plate legislation at this time. And that an interim committee be appointed to study the subject.

I have requested that Representative Pauls, a member of this committee, report on the extended considerations from this committee.

*House Transportation Committee
February 15, 1996
Attachment 1*

JANICE L. PAULS

REPRESENTATIVE, DISTRICT 102

TOPEKA ADDRESS:

STATE CAPITOL—272-W

TOPEKA, KANSAS 66612-1504

(913) 296-7657

HUTCHINSON ADDRESS:

1634 N BAKER

HUTCHINSON, KANSAS 67501-5621

(316) 663-8961



TOPEKA

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REPRESENTATIVES

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WORKERS COMPENSATION FUND
OVERSIGHT COMMITTEE

Report of the Sub Committee on
License Plate Designs in Kansas

The Tag Subcommittee has held three meetings to discuss specific new tag proposals; current tag design, and new tag technology.

Current tag bills include: HB 2321 Retired Military, (for those receiving combat infantry badges), HB 2737 (retired military), HB 2818 (Firefighters) and SB 651 (requiring two plates for all vehicles).

The Sub-Committee also discussed the problems the universities have had in meeting the requirements in the current tag law for personalized tags for universities.

The Sub-Committee while believing that all the new tag bills have merit, strongly recommends that an interim committee be appointed to study and discuss:

1. The design of a standardized generic background Kansas license plate before any new personalized tags are issued. (This would aid law enforcement both in Kansas and other states to identify Kansas tags.)
2. The possibility of privatizing the issuance of personalized plates.
3. The availability of new technology for the Department of Revenue to change how tags are produced, as their current equipment dates from the 1950's. New technology will include a computerized plate design, which will reduce labor costs and may reduce costs in producing plates. The Department of Revenue is also exploring possibilities of producing plates through additional shifts by the current vendor.
4. Discussion of whether two plates should be required for all vehicles, pursuant to SB 651.

*House Transportation Committee
February 15, 1996
Attachment 2*

TESTIMONY BEFORE THE TRANSPORTATION COMMITTEE
ON HOUSE BILL 2809
BY
HARRIS TERRY, COMMISSIONER
ON BEHALF OF THE BOARD OF MCPHERSON COUNTY COMMISSIONERS
FEBRUARY 15, 1996

Chairman and members of the Transportation Committee, I appreciate this opportunity to speak in support of House Bill 2809, which relates to the disposition of certain fines for vehicular size and weight violations. At the present time all fines for vehicular size and weight violations are remitted to the state treasurer. House Bill 2809 would allow counties with a designated weight officer to receive 50% of the revenues collected from fines for size and weight violations. Since 1970 McPherson County has employed a law enforcement officer who is designated to enforce the vehicular weight limits on township and county roads. The County pays all expenses of the weight officer including costs for personnel, vehicle scales and a special vehicle for transporting the scales. However, all fines for tickets issued by the weight officer are paid to the Clerk of the District Court and then remitted to the State Treasurer. Revenues received from this legislation would assist counties in funding a designated weight officer and required equipment.

The Board of McPherson County Commissioners believes it is important to address the reasons for the deteriorating infrastructure in the County; one of which is the increased loading effect of vehicular equipment. The majority of roads in McPherson County were built from the barrow area along side the road and then sanded. As time progressed road surfaces were eventually seal coated. This process did not address the design or structural integrity of a road. These roads were not designed for today's increase in both traffic volume and vehicle load limits. According to a report published by the American Public Works Association "the growth in the number of vehicles has outpaced population growth by 50% during the past two decades. But far more damaging has been the fact that the number of trucks on our roads has tripled in the past 20 years." The report goes on to state that, "It is now estimated that a typical 18-foot semitrailer truck has the equivalent loading effect of 3,000 to 5,000 passenger vehicles."

McPherson County, with the employment of a weight officer, is able to enforce size limits and more importantly weight limits on county and township roads. In McPherson County there were 16 tickets issued for weight violations from June 1995 through January 1996 for a total of \$8,548 in fines. This includes fines on state, county and township roads issued by the both the state weight officers and the county's weight officer. As you can see, this is not as much of a revenue generating issue as it is an enforcement issue of county road weight limits. The primary objective for employing a weight officer is to reduce the number of overweight vehicles traveling on county roads. The Board of McPherson County Commissioners believes this would help reduce the need for increased federal, state and local taxes in maintaining county roads and bridges and therefore ask for your support of HB 2809.

*House Transportation Committee
February 15, 1996
Attachment 3*

STATEMENT

By The

KANSAS MOTOR CARRIERS ASSOCIATION

Presented to the House Transportation Committee;
Rep. Kenneth R. King, Chairman; Statehouse, Topeka,
Thursday, February 15, 1996.

Expressing the highway transportation
industry's opposition to H.B. 2809.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

My name is Tom Whitaker, Governmental Relations Director of the Kansas Motor Carriers Association with offices in Topeka. I appear here today representing our members and the highway transportation industry.

We respectfully must oppose the provisions of House Bill 2809.

Our industry supports proper enforcement of size and weight limitations. Such enforcement is proper and should be exercised on all vehicles.

The concerns we have relate to the provision in H.B. 2809 which would divert 50 percent of all fines collected for any size or weight violation which occurred on any highway under the jurisdiction of any county which employs a "weight officer" to enforce size and weight restrictions.

This proposed provision would apparently apply whether the size and weight violation resulted from the county's weight officer enforcement -- or whether such violation was detected by a Kansas Highway patrolman or other state enforcement.

*House Transportation Committee
February 15, 1996
Attachment 4*

The definition of a "weight officer" is sufficiently broad to permit any county to employ even a single weight officer who would devote 50 percent of the officer's time to the enforcement of vehicle size and weight limitations in a county (not necessarily on a county road), and therefore become eligible for 50 percent of the total fines collected on violations which occur on a highway under jurisdiction of that county.

The impact of this bill goes far beyond McPherson county.

Currently, K.S.A. 20-2801 provides that the district court shall remit all moneys payable to the state treasurer from fines, penalties and forfeitures to the state treasurer monthly and such monies are credited to the state general fund.

K.S.A. 74-7336 provides that 19 percent of these fines, penalties and forfeitures received from the clerks of the district court through the state treasurer shall be credited to the crime victim compensation fund and 4 percent to the crime victims assistance fund. The remainder of such remittances shall be credited to the state general fund.

The dollars available to the counties from these funds are used by the county or district attorney to establish and maintain programs to aid witnesses and victims of crime.

Under the terms of House Bill 2809, these dollars could be substantially diminished.

We believe the provisions of H.B. 2809 as introduced, extend far beyond McPherson county. We believe the state general fund and the special funds enumerated here would be adversely affected. We therefore must oppose the bill. I would be pleased to respond to questions.

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