

Approved: 1/24/96  
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES.

The meeting was called to order by Chairman Ben Vidricksen at 9:00 a.m. on January 18, 1996 in Room 254-E of the Capitol.

All members were present except:  
Senator Rock

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

Conferees appearing before the committee:  
Gene Johnson - Kansas Community Alcohol Safety Action Project  
Coordinators Association  
Canda Byrne - Kansas Alcoholism and Drug Addiction  
Counselors Association  
Rhonda Mongold - President of Kansas SADD  
Seaman High School, Topeka  
B. J. Lowry - MADD - Onaga

Others attending: See attached list

The Kansas Department of Transportation presented 3 bills for introduction.  
1) Concerning the reimbursement of moving expenses for state employees  
2) Abolishing the State Highway Advisory Commission  
3) Amending the Kansas Coordinated Transit Districts Act

Senator Lawrence made a motion that the Committee accept these bills for introduction. This was seconded by Senator Harrington. Motion carried.

**SB 259 - CONCERNING DRIVERS' LICENSES; RELATING TO REQUIREMENTS FOR LICENSURE.**

Gene Johnson addressed the committee on behalf of this bill which would provide alcohol and drug education to those persons who are first time applicants for driving privileges in the State of Kansas. He encouraged a pro-active stance as opposed to a reactive one, stating that this kind of education would have teens' undivided attention as they would have to successfully complete this course in order to obtain their driver's license. Passage of this legislation would provide young drivers with information regarding zero tolerance or .02 blood alcohol level and hopefully prevent them from committing any alcohol/drug related driving offenses. (Attachment 1)

Canda Byrne expressed support for the bill and the changes of hours and cost. (Attachment 2)

Rhonda Mongold presented testimony from a student's viewpoint stating the desire of SADD to promote a strong "no-use" message and to convince teens that driving drunk is not an option. She stated that many young people get behind the wheel of a car without prior knowledge of the dangers they may be facing. It was felt that passage of this legislation would prevent many from endangering their lives and the lives of others. (Attachment 3)

The committee also heard testimony from B.J. Lowry who spoke from first hand experience of losing a sister by the irresponsible actions of a drunk driver. She felt that passage of this bill would educate impressionable young people before the habit of drinking and driving was developed. (Attachment 4)

Supportive testimony was also distributed from Pam Menagh, Wellness Coordinator for Norton Community Schools, Norton, Kansas and Attorney General Carla Stovall who were unable to be in attendance. (Attachments 5 and 6)

The conferees answered questions from the committee, there was some discussion but no action was taken.

A motion was made by Senator Jones to approve the minutes of the January 17th meeting. This was seconded by Senator Papay and the motion carried.

The next meeting is scheduled for January 23, 1996.

# SENATE TRANSPORTATION AND UTILITIES COMMITTEE GUEST LIST

DATE: JANUARY 18, 1996

NAME	REPRESENTING
Nancy Lindberg	Atty Gen.
<del>John Smith</del>	<del>Shirley Well Foundation</del>
	KDOR DMV
Jay C Ridgway	intern
Rhonda Mongold	SADD - Seaman High
Susan M. Sittenauer	SADD - Seaman High
Tom Miller	SRS/ADTS
Steve Johnson	Ks. ASA Assoc.
Ken Bahr	Economic Lifelines
Canda Byrne	KADACA / Ks. Alliance of D & A Serv
Nancy Boajina	KDOT
Max Sutherland	KS MADD
Bj Laurry	MADD - Riley County
Tom Whitaker	KS MOTOR COLLECTORS ASSN

## Testimony

### Senate Transportation and Utilities Committee January 18, 1996

#### Senate Bill 259

Good morning Chairman Vidricksen and Members of the Committee:

. My name is Gene Johnson and I am the Legislative Liaison for the Kansas Community Alcohol Safety Action Project Coordinators Association. It is my pleasure to appear before you this morning in support of Senate Bill 259. Our Association wishes to inform you that we are in total support of this proposed legislation which will provide alcohol and drug education to those persons who are first time applicants for driving privileges in the State of Kansas.

Hearings were held by this committee on February 21, 1995 regarding this proposed legislation. At that time those people who testified in favor of this Bill were a high school student and his father, from Hays, KS and a school teacher who testified in favor of this legislation. Also supporting testimony was heard on that date from a representative of SADD (Students Against Drunk Drivers) and myself. In addition to that testimony this committee received letters of support for this bill from the Kansas Attorney General's Office and from MADD (Mothers Against Drunk Drivers).

Today, we are again asking this committee to take positive action on this bill and I would like to address three reasons for the successful passage of Senate Bill 259:

1. At the present time our response to drinking drivers is reactive. That is, after the alcohol/drug offense occurs, we take action. This proposed legislation demonstrates a pro-active stance, rather than a reactive one.
2. By requiring the teenage applicant to complete an alcohol and drug information course before applying for driving privileges in the State of Kansas, we believe the timing for this education could not be better. The instructors of these classes will have the teen's undivided attention as failure to complete this course will deny that young person or first time applicant, the privilege of operating a motor vehicle in the State of Kansas.

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Senate Bill 259  
January 18, 1995  
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3. We all know the Federal Government has placed a mandate of zero tolerance or .02% blood alcohol level targeted for those persons under the age of 21 who are found to be driving a motor vehicle with alcohol in their system. (Under Kansas Law it is illegal for anyone under the age of 21 to consume intoxicating beverages, except when supervised by a parent or guardian).

With the possible passage this year of Kansas legislation regarding the zero tolerance, Senate Bill 259 will provide alcohol and drug education to all 14,15 and 16 year olds throughout the State who are applying for their first drivers license. This education will provide these young people with the information regarding zero tolerance and .02% and hopefully, prevent these young drivers from committing any alcohol/drug related driving offenses, such as DUI offenses.

The concept of alcohol and drug education prior to licensing came out of the Smoky Hill Foundation, located in Hays, KS. The originators of this proposed legislation, after much discussion regarding the length and costs, now suggest a four-hour education will be sufficient to impact our first time drivers license applicants and could be provided at a cost of no more than \$35. (This is on level with the State of Maryland's Law that now mandates a three-hour course at a charge of no more than \$35).

Upon successful completion of this four-hour school, the applicant will be given a certificate of completion to be presented to the Drivers License Bureau to satisfy the educational requirement to receive their Kansas Drivers License.

In support of Senate Bill 259 the Administrative Judge of the 17th District, Charles E. Worden writes:

"As District Judge for six counties, I have frequently presided over cases that involve drugs and alcohol. Frequently, the use of alcohol and drugs begins in the teenage years and usually involves the use of an automobile.

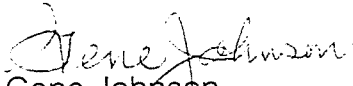
Therefore, I support this program in hopes that it will raise the level of awareness of the dangers of alcohol and drugs to this group of individuals. In turn I may not have to meet them on a professional basis."

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In addition, I am attaching letters of support which were obtained by Mr. Tommy Tomlin of the Smoky Hill Foundation early in 1994 when he began to develop this educational concept. I am also including a copy of a letter of support from the National Association Of Alcoholism and Drug Abuse Counselors directed to Governor Bill Graves on December 21, 1995. The National Association of Alcoholism and Drug Abuse Counselors are in total support of this proposed legislation.

Thank you for allowing me this time to testify in support of Senate Bill 259. I will attempt to answer any questions from the Members of the Committee.

Respectfully submitted,

  
Gene Johnson

Legislation Liaison

Kansas Community Alcohol Safety Action Project Coordinators Association



**KADACA**

**Kansas Alcoholism and Drug Addiction Counselors Association**

For More Information Contact:  
Canda Byrne, MSN, ARNP, CS  
Legislative Representative  
P. O Box 1732  
Topeka, Kansas 66601  
(913) 235-2400  
January 18, 1996

**SB 259 An Act Concerning Drivers Licenses;  
Requirements for Licensure**

Senator Vidricksen and members of the Transportation and Utilities Committee, I am Canda Byrne. I am here representing the Kansas Alcoholism and Drug Addiction Counselors Association and the Kansas Alliance of Alcohol and Other Drug Services, Inc. I am here to offer our support for S.B. 259. We are especially supportive of the bill with the changes brought by Gene Johnson of a decrease from 8 hours to 4 hours of instruction and a decrease in cost from \$55 to \$35.

We are aware there is no way that laws can totally eliminate the deadly combination of drinking and driving. We do like the idea of being proactive rather than reactive.

Thank you for allowing me to speak this morning, in support of SB 259.

## Students Against Drunk Driving

Good morning and thank you for allowing me to come and speak with you today on behalf of the Students Against Drunk Driving organization. My name is Rhonda Mongold. I am a Senior at Seaman High School and President of the Kansas SADD chapter of the year. Let me share with you two of the main goals our organization believes in. First of all, we promote a strong no-use message among teenagers. Teenagers are not of legal age to consume alcohol. Secondly, and even more importantly, we want to eliminate drunk drivers and save lives. Our group strives to keep high school students and the community aware of the dangers of drinking and driving. We sponsor events, distribute literature, and work diligently throughout the year to combat this problem.

In Kansas alone, a person is involved in an alcohol related accident every three hours. That means two out of every five Kansans will be in an alcohol related crash sometime during their lives. The worst part is that 50% of the people killed in alcohol related accidents are not the drunk drivers. Something has to be done and Senate Bill Number 259 has a solution. Many young people get behind the wheel of a car without any prior knowledge of the dangers they may be facing. And if you add alcohol to the equation, the combination becomes deadly. Teens have to get the message that driving drunk is not an option and will not be tolerated. Alcohol is still the number one drug choice among America's youth and still continues to be the number one killer between the ages of 16 and 24.

In an ideal world we could believe that teens won't drink alcohol and if they did drink, they wouldn't drive. We could hope that they'd call their parents to come pick them up rather than drive intoxicated. But, the fact is they don't! Most teens would rather take their chances on the road than face getting in trouble at home. At age 15, the average teenager is not mature enough to think about the consequences of drinking and driving on their own. Many lack the driving skills that age and experience would give them. Issuing them a license without an education about drinking and driving is like handing them a loaded weapon. Often cocky and self-confident, they believe that a couple of beers is, "No big deal." But in actuality, after two beers the average teen is driving impaired - and they are legally drunk after only three.

I don't drink alcohol and therefore I don't drink and drive. But, I've been to high school parties and I've seen many teenagers drink and get in their cars and drive home. I and others in my organization can only prevent so many from endangering their lives and the lives of others. We need help, and the government needs to get involved. I urge you to fully consider Senate Bill Number 259 and see its way to passage. If even one life is saved as a result of this legislation, then it must be passed.





**Mothers Against Drunk Driving**

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3601 SW 29th Street • Topeka, KS 66614 • (913) 271-7525 • 1 (800) 228-6233

KANSAS STATE OFFICE

**TO SENATE TRANSPORTATION COMMITTEE**

**IN SUPPORT OF SB 259**

**TESTIMONY SUBMITTED ON BEHALF OF KANSAS MADD**

**PRESENTED BY B. J. LOWRY, ONAGA, KANSAS**

Dear Chairmen & Committee Members:

My name is B.J. Lowry. I am here as the mother of two teenagers and as a representative of MADD, in full support of Senate Bill No. 259. I could stand here and quote for you the statistics that are pertinent to the State of Kansas regarding teen drinking/driving fatalities, but surely you've heard them before.

Three months ago I lost my sister due to the irresponsible actions of a drunk driver. Two other people were also killed in the same accident and nine children lost parents. The drunk driver, of course, was uninjured. Since then I have been speaking with young people in high schools and middle schools about the aftermath of alcohol-related accidents. From the sincere, emotional responses I've received, I know if we can educate these young people at an impressionable age, before they've developed the habit of drinking and driving, we may be able to reverse the rising annual statistics for alcohol-related fatalities in our state.

Passage of this bill would surely be one more positive step in that educational process for these kids. Today's teenage drinking driver is simply tomorrow's adult drinking driver, and is always just an accident waiting to happen. The accident they cause could very well be the one that takes the life of your child, husband, wife, parent, or you.

Thank you.

SENATE TRANSPORTATION  
DATE: 1/18/96  
ATTACHMENT: 4-1

TO: Gene Johnson

FROM: Pam Menagh

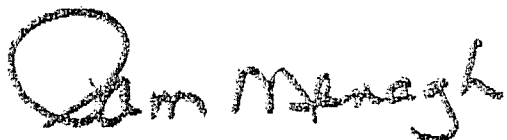
RE: Legislative hearing on Senate Bill 259

DATE: Wednesday, January 17, 1996

I had planned to drive to Topeka today to testify at the hearing in the morning. Due to the weather here in Norton, I am afraid to get out on these roads. I called Tommy Tomlin and told him I would fax you a copy of the testimony I had prepared. I hope you will be able to give this to the committee and explain that I really wanted to attend and I strongly support Senate Bill 259.

If questions, call me at home (913)877-3672 or at work (913)877-5113.

Sincerely,

Handwritten signature of Pam Menagh in cursive script.

Good morning Mr. Chairman and Members of the Committee.

I am Pam Menagh, Wellness Coordinator for Norton Community Schools in Norton, Kansas.

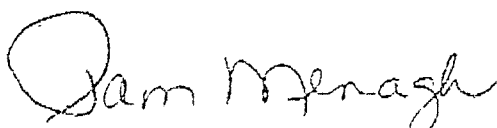
As a drug and alcohol prevention educator, I find that we give many mixed messages. I feel that Senate Bill 259 will help to change that through consistent information and the message that drinking, drugs and driving do not mix. In the past few years we have prosecuted more drunk drivers, schools have provided more education, and law enforcement agencies have worked to make the public aware of the dangers of drinking and driving. Adding the required eight hours of education would reinforce the prevention aspect and hopefully prevent deaths on our highways.

Our schools are being asked to do more and more to solve the problems of our society and there is not enough time for prevention specialists, health instructor or drivers education instructors to adequately educate all students on drugs and alcohol and their effects on driving.

Senate Bill 259 would create a consistent class which will provide education on drugs and alcohol, identifying the way they impair driving and the consequences of driving impaired. The skill portion of the curriculum (which I feel is very important) empowers drivers with the ability to use the knowledge they gain in using refusal skills and being assertive when making decisions about driving.

For the class to be effective a consistent curriculum taught by trained staff will be necessary throughout the State of Kansas. This will insure that all first time licensees will receive the quality of education that can impact the problem of driving and drug/alcohol use.

Also, as a parent of teenagers I feel that any information given to my children which can save their lives is definitely worth it. I strongly support Senate Bill 259.





State of Kansas

## Office of the Attorney General

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January 18, 1996

Senator Ben Vidricksen, Chairman  
Senate Transportation and Utility Committee  
State Capitol  
Topeka, Kansas 66612

**RE: Senate Bill 259**

Dear Chairman Vidricksen and Members of the Committee:

Last year I wrote a letter of support for Senate Bill 259. Today I am again expressing my support for this bill. S.B. 259 would require any person who is a first time applicant applying for a Kansas drivers license to successfully complete a drivers alcohol and drug information school.

Younger drivers place a high value on receiving their driver's licenses. But before they are issued a license, they must know the dangers of drinking and driving. Education is important for all of us. According to the National Highway Traffic Safety Administration, it is a fact that more than 35% of all deaths of 15 to 20 year olds result from motor vehicle crashes. An estimated 37.6% of these fatalities were in alcohol-related crashes in 1994. Estimates are that 2,343 persons in this age group died in alcohol-related crashes in 1994.

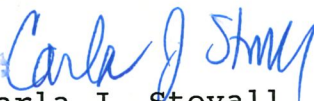
As you are aware, I have oversight responsibility for the State Child Death Review Board. This board reviews deaths of all children from birth through age 17. One of the findings of the board is that young people are dying because they are involved in alcohol-related crashes. Some of these Kansas young people were drinking and driving, some were riding with someone who was drinking and driving, and some were minding their own business but were hit by a drunk driver.

SENATE TRANSPORTATION  
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ATTACHMENT: 6-1

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I urge the committee to support this bill which will provide young people the information on the effects of alcohol and drug use and its impact on their ability to operate a vehicle. The roads will be safer for all of us. Thank you for your consideration.

Sincerely,

  
Carla J. Stovall  
Attorney General