Approved: 2/8/96
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 February 7, 1996 in Room 254-E of the Capitol.

All members were present except:

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

Conferees appearing before the committee:
Mary Turkington - Executive Director, Kansas Motor Carriers Association
Teresa Sittenhauer-Legislative Counsel, State Farm Insurance Companies
Todd Spencer - Executive Vice President, Owner-Operator Independent Driver Association, Inc.
Linda De Coursey -Government and Public Affairs Coordinator, Kansas Insurance Department

Others attending: See attached list

HB 2602 - SPEED LIMITS

Mary Turkington expressed support for this measure not to exceed 65 miles per hour with no differential between the speed limits established for trucks and other motor vehicles. She felt it was necessary to allow truck to move with the traffic to eliminate congestion, increase passing maneuvers and keep the highways safe. (Attachment 1)

Teresa Sittenhauer pointed out that traffic accidents are the leading cause of death for those between the ages of 5 and 28 and one-third of all Medicaid costs are the result of traffic accidents. She also expressed concerns regarding the "buffer zone of 5 mph" and urged the committee to eliminate the "buffer zone" altogether since an individual's driving record has a direct bearing on the risk the insurance company is considering. She urged the committee to look at this legislation cautiously and consider safety. (Attachment 2)

Todd Spencer urged lawmakers to adopt uniform speed limits for both cars and trucks as he felt any speed differential between vehicles is a negative safety factor. (Attachment 3)

Testimony was presented by Linda De Coursey in which she addressed increased speed as a factor in one-third of all fatal crashes. She stated that increase in speed also is the cause of more damage to automobiles in a collision and higher speeds are the leading cause of injury related deaths for children under 14. (Attachment 4)

The Chairman asked KDOT to furnish accident figures for tomorrow's meeting. Mike Lackey briefly reviewed a chart for the Committee and will have the requested information available for the next discussion.

Senator Vidricksen asked for a motion to introduce legislation on records from the Division of Motor Vehicles. A motion was made by Senator Jones to have this legislation introduced. It was seconded by Senator Papay and the motion carried.

A motion was then made by Senator Papay and seconded by Senator Jones to approve the minutes of the February 6th meeting. Motion carried.

The Chairman announced that he was changing the meeting time to 9:05 a.m. to enable staff to clear and set up the room between meetings. This change will take place immediately.

The meeting was adjourned at 10:03 a.m.

The next meeting is scheduled for February 8, 1996.

SENATE TRANSPORTATION AND UTILITIES COMMITTEE GUEST LIST

DATE: FEBRUARY 7, 1996

NAME	REPRESENTING
John W. Smith	KDOR DMV
Lina Brown	Peterson Affairs Group
Linda McCoomey	KS Insurance Dept.
Teresa Schemmer	State Farm
Lee Wright	Farmers Ins. Group
John L Garrett	Farmers Insurance Group
Mike Bohnhoff	Division of the Budget
Todd Spencer	Owner-Operator Independent Drivers Assn
Tom Whitaker	KS Motor Carriers Assn
Mary E. Turkington	KS Motor Carriers Assn.
Mike Lackey	KDOT
Nancy Boggina	KDOT
Bill Watts	KDOT
Bob Totten	KS Contractors Association

STATEMENT

By The

KANSAS MOTOR CARRIERS ASSOCIATION

Supporting H.B. 2602 as passed by the House, revising speed limits.

Presented to the Senate Transportation & Utilities Committee, Sen. Ben Vidricksen, Chairman; Statehouse, Topeka, February 6, 1996.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I am Mary E. Turkington, Executive Director of the Kansas Motor Carriers Association with offices in Topeka. I appear here on behalf of our members and the highway transportation industry along with Tom Whitaker, our Governmental Relations Director.

We support H.B. 2602 as this measure passed the House.

Our Association's Board of Directors, at its meeting on July 20, 1995, reviewed the Association's policy on speed limits for motor vehicles.

(MORE)

Senate Transportation
2-7-'96
Attachment #1

After more than an hour's discussion in which public safety, fuel consumption, operating equipment characteristics, and enforcement practices were reviewed, our Board adopted a policy which:

"Supports enactment of a statutory speed limit not to exceed 65 miles per hour with no differential between the speed limits established for trucks and other motor vehicles."

We well understand that there are those who support a higher speed limit for interstate and 4-lane expressways. We do not oppose the statutory 70 miles per hour for interstate and 4-lane express highways as recommended by Gov. Bill Graves and as adopted in the legislation passed by the House.

We do believe that 75 miles per hour statutory speed limits for even such 4-lane roads invites unsafe highway speeds and that the 70 miles per hour ought to be the highest statutory limit adopted as public policy.

We strongly support no differential between limits establsihed for cars and trucks and are pleased that no such differential is included in House Bill 2602.

Four-lane highways make passing maneuvers less hazardous than two-lane roads. Our worry is that a lower speed limit for trucks will artificially slow traffic on a two-lane road until cars stack up behind the truck, eventually someone makes a bad decision to pass the entire lane of traffic and severe accidents will result. Let the trucks move with the traffic, eliminate congestion and increased passing maneuvers, and keep our highways safe.

Included in your committee folders this morning is some additional information on U.S. traffic accidents. I would ask you to review this information and retain it in your files. Basically, the information tells you that of the 40,676 highway fatalities in the U.S. in 1994, NO TRUCK WAS INVOLVED in 87% of such accidents. In the Truck Related share - 13% - the other driver was at fault in 71% of the accidents and as the rest of the statistics tell you, the truck driver was at fault in only 17% (of the 13%) in which trucks were involved.

These are not our figures but, as you will note, are figures provided by the National Highway Traffic Safety Administration and by the Federal Highway Administration, U.S. Department of Transportation.

The bottom line of these statistics is the last page which shows you for the period - 1983 to 1993 - the vehicle miles of travel for medium and heavy duty trucks increased 41% and the fatal accident rate decreased 37%.

We must be doing something right. Let's keep on doing it by adopting speed limits that control accidents, add to our productivity and keep Kansas and its economy a good place to live and do business.

I'll be glad to respond to any questions you may have.

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MEMORANDUM

TO: The Honorable Ben Vidricksen, Chairman
Senate Transportation and Utilities Committee

FROM: Teresa L. Sittenauer, Legislative Counsel
The State Farm Insurance Companies

DATE: February 6, 1996

RE: H.B. 2602

Mr. Chairman and Members of the Committee: My name is Teresa Sittenauer and I am legislative counsel for the State Farm Insurance Companies. We appreciate the opportunity to testify before this committee with respect to H.B. 2602. State Farm is not directly affected by the provisions of this bill, however, we would like to present several issues to the committee for your consideration in reviewing the very important issue of raising the speed limits.

The first is the link between higher speed limits and increases in death and injury resulting from auto accidents. Although it is impossible to predict the precise effects of higher speed limits in this regard, historical data trends establish a strong link between higher speeds and highway deaths and injuries.

* The national speed limit of 55 miles per hour was first adopted in 1973. The National Academy of Sciences has found that the lower limit saved between 3,000 and 5,000 lives in 1974 and has saved between 40,000 and 85,000 lives over the last 20 years.
* In 1987, Congress permitted states to raise speed limits on rural interstates to 65 miles per hour. A 1992 National Highway Traffic Safety Administration (NHTSA) study found that 30% more people were killed on rural interstates posted above 55 miles per hour than would have died had the limit been maintained.

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Currently, traffic accidents are the leading cause of death for those between the ages of 5 and 28. One-third of all Medicaid costs are the result of traffic accidents. Given the budgetary proposals to shift Medicaid costs from the federal government to the states, any significant increase in auto accidents due to higher speed limits will potentially have a large fiscal impact on the states.

Further, an increase in traffic accidents and fatalities will ultimately result in higher insurance premiums for the consumer. Simple economics dictate that with more accidents come more insurance claims. More insurance claims translate into higher insurance premiums.

In its report of November 1995, "States at Risk," the Advocates for Highway and Auto Safety concluded that if the State of Kansas has an increase in fatalities similar to that which occurred after the 1987 change in the national maximum speed limit law, not only will Kansans see an increase in fatalities but an increase in other cost factors. These include medical care, lost productivity in the home and workplace, vocational rehabilitation, property damage, insurance administration, legal and court costs, traffic delays, emergency medical service, and premature funeral costs. I am attaching an appendix from that study which enumerates various research studies over the last 10 years that more than adequately demonstrate the increased risks that will ultimately occur with the increase in the speed limit.

We presented these studies and these concerns in our testimony before the House Committee. State Farm also voiced specific concerns about the provisions of new Sections 3 and 4 on page 2 of the bill. These sections, in the bill's original form, created a 10 mile per hour "buffer zone" which excluded from the public record and from insurance company rate consideration any speeding conviction of driving 10 miles per hour or less over the speed limit.

We argued to the House Committee that the "buffer zone" should be deleted from the bill. We commend the House for its amendment of the "buffer zone" down to 5 miles per hour.

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We would argue here that this reduction is a step in the right direction, but would urge this committee to go one step further and eliminate the "buffer zone" altogether.

An individual's driving record has a direct bearing on the risk that the insurance company is attempting to quantify by virtue of a premium. With an increase in the speed limits, the provisions of new Section 4 would dramatically skew the relevant risk factors to the point that the appropriateness of developing a premium could be very difficult and at times misleading. We urge the Legislature that if it wishes to move forward on increasing speed limits, this section should be deleted in its entirety.

As stated at the beginning of my testimony, State Farm wishes to urge the Legislature to move cautiously in this endeavor. We recognize that individuals throughout the state may at first glance look at all of the advantages of a higher speed limit. However, the hidden costs in lives, property damage, etc., must be carefully analyzed and factored in to the discussion of H.B. 2602. The Legislature, in its capacity to protect Kansans' safety, must look at these matters when balancing all of the potential advantages of a higher speed limit.

I appreciate the opportunity to provide this testimony and if you have any questions, please feel free to contact me.

Respectfully submitted,

Teresa L. Sittenauer

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ATTACHMENT: 2-3

APPENDIX A

Motor Vehicle Occupant Fatalities (including Motorcyclists) in Kansas during 1994

		LAND USE						
		Rural		Rural Total	Urban		Urban Total	Grand Total
ROAD TYPE	SPEED LIMIT	CRASH 1 S.V.	TYPE 2 M.V.		CRASH 1 S.V.	TYPE 2 M.V.		
1 Interstate	=55	0	2	2	6	2	8	10
	=65	11	10	21	6	1	7	28
2 Freeway/Expwy	<55	0	0	0	2	2	4	4
	=55	0	0	0	2	0	2	2
3 Other Prin Art	<55	0	2	2	6	18	24	26
	=55	16	66	82	0	0	0	82
	=65	3	0	3	0	0	0	3
4 Minor Arterial	<55	2	2	4	0	0	0	4
	=55	19	29	48	0	0	0	48
5 Other	<55	17	5	22	15	22	37	59
	=55	94	49	143	1	0	1	144
	Other	4	0	4	1	0	1	5
Grand Total		166	165	331	39	45	84	415

This chart illustrates the huge disparity between motor vehicle fatalities on urban and rural roads. As you can see, in 1994 there were 331 motor vehicle fatalities on roads in rural areas as compared with 84 deaths in urban areas. These numbers underscore the hazards associated with rural driving.

Further, more than 300 of the 331 rural road deaths occurred on principal arteries (not interstate) and other smaller roads. You will note that these deaths occurred on roads that currently have a posted speed limit of 55 m.p.h. Raising the speed limit on these rural roads will likely cause the sharpest increase in motor vehicle fatality rates, further widening the gap between urban and rural road fatalities.

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Crashes with Fatality to Motor Vehicle Occupants (including Motorcyclists) in Kansas during 1994

		LAND USE						
		Rural		Rural Total	Urban		Urban Total	Grand Total
ROAD TYPE	SPEED LIMIT	CRASH 1 S.V.	TYPE 2 M.V.		CRASH 1 S.V.	TYPE 2 M.V.		
1 Interstate	=55	0	1	1	6	2	8	9
	=65	10	8	18	6	1	7	25
2 Freeway/Expwy	<55	0	0	0	2	2	4	4
	=55	0	0	0	2	0	2	2
3 Other Prin Art	<55	0	2	2	6	17	23	25
	=55	15	47	62	0	0	0	62
	=65	2	0	2	0	0	0	2
4 Minor Arterial	<55	2	1	3	0	0	0	3
	=55	19	22	41	0	0	0	41
5 Other	<55	16	3	19	14	21	35	54
	=55	87	35	122	1	0	1	123
	Other	4	0	4	1	0	1	5
Grand Total		155	119	274	38	43	81	355

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Studies Confirm that Higher Speeds Cause More Deaths

Research studies have consistently found that higher speed limits result in more deaths and injuries, increased crash severity, greater proportions of vehicles travelling at excessive speeds, and higher average traffic speeds.

1) The National Academy of Sciences concluded that the National Maximum Speed Limit saved between 3,000 and 5,000 lives in 1974, and between 2,000 and 4,000 lives each year through 1983. The study predicted 500 more deaths annually if rural interstate speed limits were raised to 65 mph. *55: A Decade of Experience*, **Transportation Research Board Special Report No. 204 (1984).**

2) The U.S. Department of Transportation concluded, based on 1993 data, that fatalities on 55 mph highways decreased by 4.5%, while fatalities on 65 mph highways increased by 2.4%. *A Report of the Secretary of Transportation to the United States Congress*, **Federal Highway Administration (Oct., 1995).**

3) "All studies of national effects . . . indicate that fatalities have increased on rural Interstates by roughly 15-25%, resulting in approximately 300-500 additional deaths on highways posted at 65 m.p.h. in 1988. *Effect of The 65 M.P.H. Speed Limit on Highway Safety in The U.S.A.*, **Godwin, S.R., Transport Reviews, vol.12 no.1 (1992).**

4) In 1990, thirty percent (30%) more people were killed on rural Interstate highways posted at more than 55 mph than would have occurred if the 55 MPH speed limit had been maintained. *Effects of the 65 MPH Speed Limit Through 1990: A Report To Congress*, **National Highway Traffic Safety Administration DOT-HS-807 840 (May, 1992).**

5) "Speeding/excessive speed is one of the most prevalent factors contributing to crash occurrence. It is estimated to be involved in approximately 12 percent of all police-reported crashes. . . In 1989, it is estimated that about 15,558 fatalities and 80,000 serious physical injuries occurred in speed-related crashes." *Data Analysis of the Speed-Related Crash Issue*, **Bowie & Walz, 13th International Conference on Experimental Safety Vehicles (Nov., 1991).**

6) On Michigan roads where the speed limit was raised fatalities rose 28%, serious injuries increased 39%, and moderate injuries went up 24%. *Effects of The 65-MPH Speed Limit on Crashes and Crash Casualties in Michigan: 25 Months of Experience*, **Streff & Schultz, UMTRI, AAMA 35th Annual Proceedings (Oct., 1991).**

7) In Georgia, both fatalities and fatal accidents increased in 1989 as a result of the 65 mph speed limit, overwhelming the safety benefits of increased safety belt use. *Safety Effects of The 65 MPH Speed Limit and a Mandatory Seat Belt Law in Georgia*, **Wright, et al., AAMA 35th Annual Proceedings (Oct., 1991).**

(continued)

Studies Confirm that Higher Speeds Cause More Deaths (continued)

8) In 1989, there were 600 more fatalities, an increase of 32%, on rural interstates in states that raised the speed limit to 65 compared to the mean rate in the five years (1982-86) before the speed limit increase. Two-thirds of the deaths (almost 400), a 19% increase in fatalities, were directly attributed to increased speed limits. *The Fatality Rate Consequences of The 65 MPH Speed Limit, 1989*, **Baum, Wells & Lund, IIHS (Apr., 1991).**

9) The rate of injury causing accidents increased between 1986 and 1988 on rural interstates posted at 65 mph. Average vehicle speeds increased by 4 mph and the 85th percentile speed increased by almost 5 mph in the same time period. *Effect of the 65 MPH Speed Limit On Travel Speeds and Related Crashes*, **Mace & Heckard, DOT-HS-807 764 (Mar., 1991).**

10) In 1989 there was a 19% increase in the number of fatalities directly attributable to speed limits posted above 55 mph. *The Effects of The 65 MPH Speed Limit Through 1989: A Report To Congress*, **National Highway Traffic Safety Administration, DOT-HS-807 706 (Dec., 1990).**

11) Increases in fatal accidents were noted on "look-a-like" rural freeways posted at 65 mph. *Accidents Before and After the 65 MPH Speed Limit in California (Supplemental Report)*, **Smith, R.N., California Dep't of Transp. (Oct., 1990).**

12) Higher maximum speed limits increases the number and percentage of vehicles that speed. *Speeds Associated With the 55 MPH and 65 MPH Speed Limits In Northeastern States*, **Freedman & Williams, IIHS (Aug., 1990).**

13) Higher speed limits cost approximately 530 more lives in 1989. *Motor Vehicle Crash Fatalities and 65 MPH Speed Limits on Rural Interstates in 40 States*, **Lund, Wells & Baum, IIHS (Aug., 1990).**

14) "The estimated effect of higher speed limits in 1988 based on all 40 states translates into 531 to 566 deaths attributable to the higher speed limit." *Motor Vehicle Crash Fatalities in The Second Year of The 65 MPH Speed Limits*, **Baum, Wells & Lund , J of Safety Research vol.21 no.1 (Spring, 1990).**

15) "Results clearly revealed significant increases in crash-induced injuries on road segments where the maximum speed limit increased from 55 mph to 65 mph." *Effects of The 65 MPH Speed Limit On Injury Morbidity and Mortality*, **Wagenaar, Streff & Schultz, Accid. Anal. & Prev., v.22 no. 6 (Mar., 1990).**

16) Higher speed limits increase the number of high speed violators. *The Effect of The 65 MPH Speed Limit on Speeds in Three States*, **Freedman & Esterlitz, IIHS (Jan., 1990).**

(continued)

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Studies Confirm that Higher Speeds Cause More Deaths (continued)

17) Increased speed limits on rural interstate highways coincided with a 48% increase in speeders and a 22% increase in fatal accidents on those same roads. *The Relationship of the 65 MPH Limit To Speeds and Fatal Accidents*, **McKnight & Klein, TRB 69th Annual Meeting (Jan., 1990).**

18) Analysis noted increase in the total number of accidents and in the rate of fatal accidents occurring in 1987-88 versus four (4) years previous to speed limit increase. *Safety and Operational Impacts of Raising The Speed Limit To 65 MPH. Final Report.*, **Upchurch & Rahman, Arizona Dep't of Transp. (Apr., 1989).**

19) In the first year of the 65 mph speed limit, there was "strong evidence that overall accident frequency increased slightly more than 14%" and that the 85th percentile speed increased by 4-5 mph. *The Safety Impact of The 65 MPH Speed Limit - A Time Series Analysis. Final Grant Report.*, **Pfefer & Stenzel, DOT-HS-807 524 (Dec., 1989).**

20) In 1987 there was a 10% increase in the number of fatalities directly attributable to speed limits posted above 55 mph (speed limits were raised for only part of the year). In 1988, the first full year at higher speeds, there were 21% more fatalities directly attributable to higher speed limits. *Report To Congress On The Effects Of The 65 MPH Speed Limit Through 1988*, **National Highway Traffic Safety Administration (Oct., 1989).**

21) "Between April 2, 1987, and April 1, 1988, there was a significant increase in the rate of fatal motor vehicle crashes on rural Interstates in New Mexico compared with the 5 previous years." *Effects of the 65-MPH Speed Limit On Rural Interstate Fatalities In New Mexico*, **Gallagher, et al., JAMA, v.262 no. 16 (Oct., 1989).**

22) "[T]he 65 mph limits increased rural interstate fatalities in 1987 by approximately 15 percent, there was no evidence of a similar trend in states that retained 55 mph limits, and the increase was not limited to only a few states." *The Mortality Consequences of Raising the Speed Limit to 65 MPH on Rural Interstates*, **Baum, Lund & Wells, AJPH, vol.79 mo.10 (Oct., 1989).**

23) "In the states raising their limits to 65 mph, speeding on rural interstate highways increased by 48% and fatal accidents by 22% over projections based upon prior trends." *The Effect of the 65 MPH Limit on Speed and Accidents*, **J.A. McKnight, et al., DOT-HS-807 463 (Aug., 1989).**

24) "For rural Interstate fatalities the estimates suggest a median (among the 40 states) effect of the increased speed limit of roughly 15% more fatalities." *The Effects of the New 65 Mile-Per-Hour Speed Limit on Rural Highway Fatalities: A State-by-State Analysis*, **Garber & Graham, DOT-HS-807 452 (July, 1989).**

(continued)

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Studies Confirm that Higher Speeds Cause More Deaths (continued)

25) Using a conservative 16% figure for increased fatalities one study concluded that "[t]he 65 mph speed limit costs more time than it saves. It also costs the public and the insurance industry almost twice as many dollars as it saves the trucking industry." ***65 MPH: Winners and Losers*, T.R. Miller, DOT-HS-807 451 (July, 1989).**

26) Study of Alabama roadways reported "a significant increase in the severity [of crashes] on the 65 mph interstate roadways when compared to the interstates which remained at 55 mph." ***The Safety Impact of the 65 MPH Speed Limit: A Case Study Using Alabama Accident Records*, Brown, et al., DOT-HS-807 425 (Apr., 1989).**

27) Increased speed limits increases the risk of crashes involving drunk drivers. Higher speed limits resulted in a 30% increase in the number of fatally injured intoxicated drivers. ***Effects On Drunk Driving Deaths of Raising the Speed Limit To 65 MPH*, Hingson, et al., American Public Health Association 116th Annual Meeting (Nov., 1988).**

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DATE: 2/7/96
ATTACHMENT: 2-9

Before the

KANSAS SENATE

COMMITTEE ON TRANSPORTATION AND UTILITIES

Ben E. Vidricksen

Comments on

HOUSE BILL NO 2602

Concerning Speed Linits

Statement of the

Owner-Operator Independent Driver Assn., Inc.

By:

Todd Spencer
Executive Vice President

February 7, 1996

OOIDA National Headquarters
311 R. D. Mize Road
Grain Valley, Missouri 64029
(816) 229-5791

SENATE TRANSPORTATION
DATE: 2/7/96
ATTACHMENT: 3

February 6, 1996

Committee on Transportation and Utilities
HB2602

Good morning, Mr. Chairman, members of the Committee and guests. My name is Todd Spencer. I'm the executive vice president of the Owner Operator Independent Drivers Association and prior to 1981 I drove a truck full-time in over-the-road long hauls. Our organization is the largest national association for small business trucking operations in the country. Our headquarters is in Grain Valley, Missouri and we currently have 31,000 members in the United States and in Canada. Many of our members reside in Kansas and many others engage in long term contracts with Kansas-based motor carriers.

As the lawmakers consider legislation to amend the state's speed limits, the Owner Operator Independent Drivers Association ("OOIDA") urges lawmakers to adopt uniform speed limits for both cars and trucks. Uniform speed limits are the safest speeds for all vehicles on the highways.

Our members are primarily individuals that drive their own trucks in excess of 100,00 miles each year. To them, highway safety is a very serious issue- literally a matter of life and death.

While we are aware that conventional thinking is that since trucks are longer and heavier, they should be driven at slower speeds for safety reasons, nothing could be further from the truth. All safety research conducted over the past 15 years shows differential speed limits between cars and trucks increases accidents-specifically rear-end and sideswipe accidents.

The AAA Foundation for Traffic Safety verified the problems with differentials speed limits in two separate studies of actual highway performance. These studies were conducted in 1989 and in 1991 by the University of Virginia.

Any speed differential between vehicles is a negative safety factor. To give you an example of how great the increased risks can be, researchers at the University of Texas concluded that when trucks travel 15 miles per hour slower than other vehicles they have accident involvement rates that are 9 times higher than trucks that run at the same speed as other traffic.

We are also aware there could be a concern that with higher speed limits, trucks may not be able to stop as quickly as cars so they will run into the backs of cars. This concern again can and should be addressed based on real highway experience. According to the most current safety data on truck accidents compiled by the Federal Highway Administration (FHWA), automobiles run into the backs of trucks more than three times as often as trucks run into the backs of cars. We believe this is a very convincing statistic on the problems with differential speed limits.

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Uniform speed limits are clearly the safest speed limits for Kansas highways.

Our organization was actively involved in convincing the U.S. Congress that individual states should have the authority to decide appropriate speed limits for their highways. During that national debate the issue of differential speed limits was raised in the U.S. Senate. After examining the issue, lawmakers in Washington rejected the idea of setting different speed limits for trucks and cars. Having two speeds for vehicles on the same routes simply means cars and trucks are in constant conflict in changing lanes and passing each other. Two-lane highways represent the most graphic example of this, but the same conflicts happen on interstate highways. But interstate highways are more forgiving so you don't have as many accidents.

We urge lawmakers to establish speed limits based on sound engineering principles and highway design. This process should also consider existing motorist behavior, recognizing the average speeds being driven today. Most motorists drive at speeds they believe to be reasonable and prudent. For speed linits to be meaningful most motorists must voluntarily comply.

Setting arbitrarily low speed limits does little more than foster disrespect for the law, discourtesy on the road between motorists, while increasing the differential speeds between vehicles, making our highways less safe.

Thank you for your consideration of this important highway safety issue and thank you for allowing us the opportunity to participate.

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ATTACHMENT: 3 - 3

OWNER-OPERATOR INDEPENDENT DRIVERS ASSOCIATION, INC.
National Headquarters: I-70 at Grain Valley Exit • OOIDA Building
Mailing Address: 311 R.D. Mize Road, P.O. Box L, Grain Valley, MO 64029 • (816) 229-5791

DIFFERENTIAL SPEED LIMITS: THE FACTS

Members of the Owner-Operator Independent Drivers Association (OOIDA) believe that differential speed limits are unsafe for the nation's highways. OOIDA believes that a uniform speed limit must be maintained for cars and trucks, The President of the Association, Jim Johnston, noted that even foes of the trucking industry have recognized the need for uniform speed limits. In testimony before the House of Representatives in June, 1994 CRASH co-chair Joan Claybrook noted:

> Studies demonstrate that these slower speeds are much more dangerous than is commonly understood. A University of Texas study concluded that trucks which travel 15 mph below the prevailing speed of other vehicles have crash involvement rates nine times higher than those that travel at the same speed as other traffic. The same study found that the crash involvement rate is 15 times higher if the speed differential is 20 mph.
>
> Data on rear-end crashes compiled and analyzed in a U.S. Government study showed that the rates of rear-end crashes increased sharply when speed reductions exceeded 20 mph.

Safety studies performed by the American Automobile Association have also shown that differential speed limits cause increases in "sideswipes" and rear-end accidents. In addition, the Department of Transportation has cited statistics indicating that cars and trucks moving at different speeds will decrease safety on the highways. OOIDA representatives stated, "When a car approaches a truck that is moving at a slower pace on the highway, the car has three choices: hit the brakes possibly causing a rear-end accident, hit the truck, or move to the left possibly causing a sideswipe." On behalf of the Association, Johnston maintained that "safety remains a strong concern for truckers, thus we discourage adoption of differential speed limits."

SENATE TRANSPORTATION
DATE: 2/7/96
ATTACHMENT: 3-4

AAA Foundation for Traffic Safety NEWS

1730 M Street, N.W., Suite 401, Washington, D.C. 20036 (202) 775-1456

NO SAFETY BENEFITS ACHIEVED IN TRUCK LANE AND SPEED CONTROL STRATEGIES REPORTS AAA FOUNDATION

Imposing lane and speed restrictions on truck operations on multilane highways has been utilized to attempt to improve the safety and the quality of traffic flow on these highways. A study sponsored by the AAA Foundation for Traffic Safety which was conducted by the University of Virginia's School of Engineering and Applied Science has concluded that no safety benefits resulted from the imposition of speed and lane restrictions on trucks. In fact, the study concludes that the potential for an increase in accidents involving trucks and other vehicles occurs when such strategies are imposed on highways with high traffic volumes which include a high percentage of trucks.

UVA researcher, Dr. Nicholas Garber reported that restricting trucks to the right lane resulted in a decrease of the vehicular headways in this lane. Decreasing vehicular headways causes a reduction in the number of acceptable gaps available for drivers wanting to merge from entrance ramps. This in turn creates the "barrier" effect making it very difficult to merge and a hazardous situation for all motorists at entrance ramps. This negative effect is even more significant on highways having three or four lanes in each direction carrying an average daily traffic greater than 75,000 vehicles and with a proportion of trucks greater than 4 percent.

Other negative results of truck lane and speed control strategies are congestion and an increase in the skewness of speed distributions. As the precentage of trucks in the traffic stream increases, the potential for accidents increase. The more hazardous conditions concentrated in the right hand lane by such strategies do not significantly change speed distributions and accident potential of other lanes.

A copy of the report "The Effect of Truck Traffic Control Strategies on Traffic Flow and Safety on Multilane Highways" may be obtained by contacting the AAA Foundation for Traffic Safety, 1730 M Street, N.W., Suite 401, Washington, D.C. 20036, (202-775-1456).

11/89

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AAA Foundation for Traffic Safety NEWS

1730 M Street, N.W., Suite 401, Washington, D.C. 20036 Fax (202) 775-1459 (202) 775-1456

FOR IMMEDIATE RELEASE

DIFFERENT SPEED LIMITS FOR TRUCKS AND CARS PROVIDE NO SAFETY BENEFITS

Ten states have different maximum speed limits for trucks and cars based on the theory that a lower speed for trucks would reduce conflicts between cars and trucks and thus result in lower accident and injury rates. But, there is very little evidence to support this theory of speed control.

In fact, a new AAA Foundation for Traffic Safety study conducted by the University of Virginia's Department of Civil Engineering reports that there is no safety benefit from differential truck/car speed limits and that there is evidence that different speed limits for trucks and cars may actually result in higher rates of certain kinds of accidents such as rear-enders and sideswipes.

The speed study was commissioned by the AAA Foundation because the recent change by most states to higher 65 mph speed limits on rural interstates provided an opportunity to test the differential maximum speed practice because some states permitted cars to go 65 mph but kept the limit for trucks at 55 mph. The analysis covered specific highway locations in California, Maryland, Michigan, Virginia and West Virginia. One highway location in Virginia and West Virginia provided an unique opportunity to test this theory because the two states used different speed approaches on the same highway.

Several other interesting findings resulted from the University of Virginia speed study:

* In those states where cars were permitted to go faster (55 - 65 mph) the mean speeds of cars increased only from 1 to 4 mph, from a speed range of 61-64 mph to 62-67 mph. In other words, because most motorists were already driving over the old 55 mph speed limit, when the maximum speed limit was increased to 65, car speeds increased relatively little, for motorists tend to drive close to the design speed of the highway regardless of what signs say.

MORE

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* In states where both trucks and cars were permitted to go 65 mph, speed variance -- vehicles traveling at different speeds on the same roadway -- decreased and this was good, for previous studies have demonstrated that accidents decrease when speed variance decreases or, in other words, when all traffic is moving at approximately the same rate of speed. The study also showed that differential speed limits for trucks/cars increased speed variance.

* In states which increased speed limits to 65 for all vehicles, there was no resulting significant increase in accidents.

* No spillover effects on adjoining roads was evidenced in areas where the 65 mph was utilized. This has always been a major argument of critics of the higher speed limits.

Differential speed limits for cars and trucks have been in use for a long time, but researchers find little evidence to justify continuing this practice. It may cause more problems than it solves would be the conclusions of the University of Virginia researchers who prepared the AAA Foundation report. Copies of the report, "Impact of Differential Speed Limits on Highway Speeds and Accidents" may be obtained by contacting the AAA Foundation for Traffic Safety, 1730 M Street, N.W., Suite 401, Washington, D. C. 20036, (202) 775-1456).

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Impact of Differential Speed Limits on Highway Speeds and Accidents

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ABSTRACT

Several states have changed the speed limit on rural interstate highways from 55 mph to 65 mph, after the enactment of the Surface Transportation and Uniform Relocation Assistance (STURA) Act in 1987. Some of these states, have restricted truck speeds by imposing Differential Speed Limits (DSL), in which the maximum speed limit for trucks is 55 mph and that for passenger cars is 65 mph, with the objective being to reduce the impact of the increased speed limit on truck involved accidents. The extent to which this strategy has been successful in achieving this objective has, however, not been documented by using actual field data. The purpose of this study is therefore to assess the nature and extent of the effects of DSL on vehicle speeds and accident characteristics. The data used in the study consisted of speed and accident data at test and control sites operating under DSL and non-DSL conditions respectively in California, Maryland, Virginia and West Virginia. The speed and accident data were collected before and after the speed limit change. The data were then statistically analyzed to determine whether speed and accident characteristics changed significantly as a result of the higher speed limit with DSL. Data from West Virginia, a state with 65 mph limit for both passenger cars and trucks were also compared with those from Virginia on similar highways operating under DSL, in order to determine the relative impact of the differential speed limit in Virginia.

The results obtained are summarized under the following subheadings:

Impact of DSL on Truck/Non-truck Speeds

* In states where differential speed limit or DSL (65 mph for non-trucks and 55 mph for trucks) was imposed, there was no significant increase in the mean speeds of trucks.

* The DSL caused an increase in the mean speeds of passenger cars or non-truck vehicles. However, the increase was not as significant as might be anticipated. The average speeds increased from 1 to about 4 mph, in response to 10 mph increase in the speed limit. This is because the average speeds on 55-mph highways prior to the change in law were much higher than the posted speed limit.

* Analysis of Speed Variance and Speed Dispersion parameters, following the increase of the speed limit to 65 mph for non-truck vehicles, indicated that speed fluctuations within the traffic stream decreased.

* Speed variances for all vehicles are higher at Virginia highways with DSL (65/55 mph) when compared with those for similar highways in West Virginia operating under 65/65 mph.

Impact of DSL on Accidents

* The imposition of a differential speed limit (65/55 mph) has no significant effect in reducing the rate of non-truck/truck

accidents, or any two-vehicle accidents, compared with those on highways operating with the same speed limit (65/65 mph) for all vehicles.

* There is no evidence indicating that the increase of the maximum speed limit to 65 mph for passenger cars on the rural interstate systems in the states studied has directly resulted in a significant increase in fatal, injury and overall accident rates.

* Rear-end accidents were relatively higher in Virginia than in West Virginia, suggesting that the speed differential (65/55) caused more rear-end accidents especially between cars and trucks.

* The rate of two-vehicle accidents reduced by a larger amount in West Virginia after the implementation of the 65/65 mph strategy, than in Virginia after the implementation of the 65/55 mph strategy.

SUMMARY OF FINDINGS AND CONCLUSIONS

Summary of Findings

* The increase of the speed limit for passenger cars at rural interstate highways has resulted in an increase of the mean speeds of these vehicles on these highways, and hence the first null hypothesis for non-truck speeds was rejected.

* Mean speed of passenger cars increased from a range of 61-64 mph to a range of 62-67 mph resulting in an increase in mean speed from 1 to about 4 mph, compared to the 10 mph increase in the posted speed limit. The reason being that average speeds for passenger cars were much higher than 55 mph during the period of 55 mph speed limit.

* Where the speed limit of trucks was maintained at 55 mph, no significant difference in the mean speed of trucks was observed, and therefore the first null hypothesis was accepted for truck speeds.

* Speed Variance for passenger cars decreased with the increase of the speed limit to 65 mph. This supports the results of a previous study which indicated that speed variance decreases as the difference between the design speed

and the posted speed limit decreases below 10 mph, down to a minimum speed variance when this difference is about 5 mph.

* Speed dispersion which is the difference between the mean and the 85th percentile speeds, has also decreased somewhat due to the imposition of the differential speed limit.

* The increase of the posted speed limit to 65 mph on rural interstate highways has not resulted in a significant increase in accident rates, and hence the first null hypothesis can be accepted for accidents rates.

* There were no spillover effects of increase in speed limit, that is the speed and accident characteristics at control sites were not affected. Thus the second hypothesis was accepted.

* The differential speed limit (65/55 mph) has no significant effect in reducing a) non-truck/truck accident rates, and b) two-vehicle accident rates, compared with those for the uniform speed limit (65/65 mph). In fact there is some indication that the differential speed limit may increase the rates of some types of accidents such as two vehicle accidents.

Conclusions

* There is no evidence indicating that the increase of the maximum speed limit to 65 mph for passenger cars at the sites tested resulted in a significant increase in fatal, injury and overall accident rates.

* There is no evidence indicating that the increase of the maximum speed limit to 65 mph for passenger cars at the sites tested resulted in a significant increase in the mean speed of trucks.

* There is no evidence indicating that the differential speed limit (65/55 mph) is more effective than the uniform speed limit (65/65 mph) in reducing the safety impact of increasing the maximum speed limit.

* There is evidence indicating that the differential speed limit increases the interaction among vehicles in a traffic stream as a result of the increase in speed variance.

* There is evidence indicating that the imposition of the differential speed limit on interstate highways with AADT less than 50,000 may result in higher rates for certain types of accidents such as rear-end and sideswipe accidents although this increase is not significant at the five percent

significance level.

* The results obtained are similar to those obtained for a previous simulation study by Garber and Gadiraju.

Traffic Safety Facts 1993

U.S. Department of Transportation
National Highway Traffic Safety Administration

Large Trucks

In 1993, 4,320 large trucks (gross vehicle weight rating greater than 10,000 pounds) were involved in fatal traffic crashes in the United States. A total of 4,849 people died in those crashes—12 percent of the 40,115 traffic fatalities reported in 1993.

"One out of eight traffic fatalities in 1993 resulted from a collision involving a large truck."

Table 1. Involvement in Fatal Crashes and Involvement Rates for Large trucks, 1983-1993

Year	Number of Large Trucks Involved in Fatal Crashes	Number of Large Trucks Registered	Vehicle Involvement Rate *	Vehicle Miles Traveled (millions)	Vehicle Involvement Rate **
1983	4,877	5,508,392	88.5	113,163	4.3
1984	5,124	5,401,075	94.9	123,927	4.1
1985	5,153	5,330,678	96.7	126,580	4.1
1986	5,097	5,249,102	97.1	130,141	3.9
1987	5,108	5,303,094	96.3	135,601	3.8
1988	5,241	5,433,560	96.5	141,397	3.7
1989	4,984	5,692,148	87.6	148,318	3.4
1990	4,776	5,854,337	81.6	149,810	3.2
1991	4,347	5,868,817	74.1	150,729	2.9
1992	4,035	5,970,925	67.6	152,538	2.6
1993	4,320	NA	--	NA	--

* Rate per 100,000 registered vehicles.
** Rate per 100 million vehicle miles traveled.
NA = not available.
Source: Vehicle miles traveled and registered vehicles—Federal Highway Administration.

One out of eight traffic fatalities in 1993 resulted from a collision involving a large truck.

Of the fatalities that resulted from crashes involving large trucks, 79 percent were occupants of another vehicle, 8 percent were nonoccupants, and 13 percent were occupants of a large truck.

Table 2. Fatalities in Crashes Involving Large Trucks, 1993

Type of Fatality	Number	Percentage of Total
Occupants of Large Trucks	610	13
Single-Vehicle Crashes	*390*	*8*
Multiple-Vehicle Crashes	*220*	*5*
Occupants of Other Vehicles in Crashes Involving Large Trucks	3,845	79
Nonoccupants (Pedestrians, Pedalcyclists, etc.)	394	8
Total	**4,849**	**100**

Large trucks account for 3 percent of all registered vehicles, 7 percent of total vehicle miles traveled, and 8 percent of all vehicles involved in fatal crashes.

Large trucks were much more likely to be involved in a fatal multi-vehicle crash than were passenger vehicles (84 percent and 57 percent, respectively).

In 31 percent of the two-vehicle fatal crashes involving a large truck and another type of vehicle, both vehicles were impacted in the front. The truck was struck in the rear 3 times as often as the other vehicle (19 percent and 6 percent, respectively).

Table 3. Principal Impact Points in Two-Vehicle Fatal Crashes Involving Large Trucks, 1993

Impact Point on Large Truck	Impact Point on Other Vehicle				
	Front	Left Side	Right Side	Rear	Total
Front	31%	16%	14%	6%	67%
Left Side	7%	1%	<1%	<1%	9%
Right Side	4%	<1%	<1%	<1%	5%
Rear	18%	<1%	<1%	<1%	19%
Total	60%	19%	15%	6%	100%

"In 1993, large trucks were 3 times as likely to be struck in the rear as other vehicles in two-vehicle fatal crashes."

In almost half of the two-vehicle fatal crashes involving a large truck and another type of vehicle, both vehicles were proceeding straight at the time of the crash. In 9 percent of the crashes, the other vehicle was turning. In 10 percent, either the truck or the other vehicle was negotiating a curve. And in 7 percent, either the truck or the other vehicle was stopped or parked in a traffic lane (6 percent and 1 percent, respectively).

Most of the fatal crashes involving large trucks occurred in rural areas (68 percent), during the daytime (66 percent), and on weekdays (79 percent). During the week, 74 percent of the crashes occurred during the daytime (6:00 AM to 5:59 PM). On weekends, 63 percent occurred at night (6:00 PM to 5:59 AM).

For 42 percent of the drivers of large trucks involved in fatal crashes in 1993, police reported one or more errors or other factors related to the driver's behavior associated with the crash. The factors most often noted in multiple-vehicle crashes were "failure to keep in lane or running off the road," "failure to yield right of way," and "driving too fast for conditions or exceeding the speed limit."

In more than two-thirds (68 percent) of the two-vehicle fatal crashes involving a large truck and another type of vehicle, police reported one or more factors for the other driver and none for the truck driver. In 19 percent, one or more factors were reported for the truck driver and none for the other driver. In 10 percent, factors were reported for both drivers, and in 2 percent no fa

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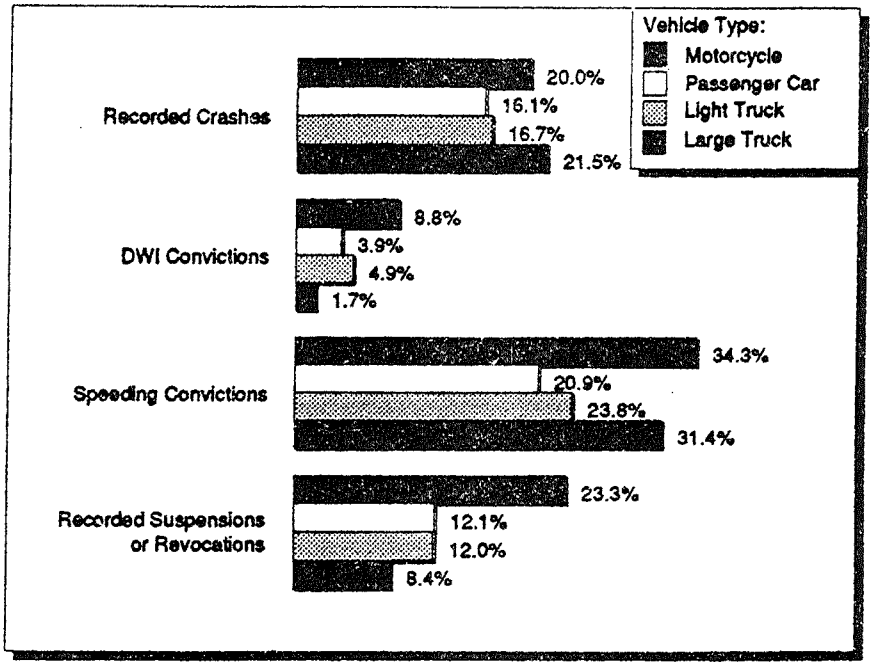
Drivers of large trucks were less likely to have a previous license suspension or revocation than were passenger car drivers (8 percent and 12 percent, respectively).

Nearly one-third of all large truck drivers involved in fatal crashes in 1993 had at least one prior speeding conviction, compared to one-fifth of the passenger car drivers involved in fatal crashes.

Figure 1. Previous Driving Records of Drivers Involved in Fatal Traffic Crashes, by Type of Vehicle, 1993



"The intoxication rate for drivers of large trucks involved in fatal crashes in 1993 was 1.7 percent."

The percentage of large truck drivers involved in fatal crashes who were intoxicated—with blood alcohol concentrations (BAC) of 0.10 grams per deciliter (g/dl) or greater—was 1.7 percent in 1993. These drivers have also shown the largest decrease in intoxication rates since 1983 (62 percent). Intoxication rates for drivers of other types of vehicles involved in fatal crashes in 1993 were 20.7 percent for passenger cars, 24.9 percent for light trucks, and 32.9 percent for motorcycles.

For more information:

Information on large truck traffic fatalities is available from the National Center for Statistics and Analysis, NRD-31, 400 Seventh Street, S.W., Washington, D.C. 20590. Telephone inquiries should be addressed to Ms. Louann Hall at (202) 366-4198. FAX messages should be sent to (202) 366-7078. To report a safety-related problem or to inquire about motor vehicle safety information, contact the Auto Safety Hotline at 1-800-424-9393.

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Kathleen Sebelius
Commissioner of Insurance
Kansas Insurance Department

Memorandum

TO: Senate Committee on Transportation

FROM: Linda J. De Coursey, Coordinator
Government and Public Affairs

RE: HB 2602 (Speed Limits)

DATE: February 6, 1996

Mr. Chairman and members of the Committee, thank you for the opportunity to appear before you today on the speed limit issue on behalf of the Kansas Insurance Department. The Kansas Insurance Department does not have a position on whether the speed limits in this state should be raised. We feel that decision is a matter of legislative policy. However, the Insurance Department has received a number of inquiries from consumers, legislators, and insurance companies on what would be the effect on the number of traffic accidents and the insurance rates for automobile insurance policies if speed limits are increased in Kansas.

We respectfully ask the Senate Committee on Transportation to consider the following points when making a decision whether to raise the speed limits on state highways of Kansas:

- **Increasing Speed Limits Will Increase the Number of Traffic Accidents:** According to the Insurance Institute for Highway Safety, speeding is a reported factor in 12% of all automobile accident and in one-third of all fatal crashes. The faster a car is traveling, the less

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420 SW 9th Street
Topeka, Kansas 66612-1678

913 296-3071
Fax 913 296-2283

Consumer Assistance Hotline
1 800 432-2484 (Toll Free)

time the driver has to react to an emergency situation and the less time there is to stop the vehicle once the emergency is detected.

- **Increasing the Speed Limits Causes More Traffic Fatalities:** The number of deaths on rural interstate highways increased in the 1980s after speed limits on those roads were raised to 65 mph (National Highway Traffic Safety Administration Study). Researchers for the Insurance Institute for Highway Safety have indicated that in the time period from 1987 to 1994, the number of deaths has gone up on highways where speed limits were increased.
- **More Damage is Caused to Automobiles in High Speed Accidents:** The severity of a crash increases by the square of the speed. For example, when speed increases from 40 mph to 60 mph, the energy released in the crash more than doubles. Although cars are better constructed than they were ten years ago, the increase in speed limits will mean there is more damage to the automobile in a collision even though there may not be any injuries or fatalities to the occupants.
- **Higher Speed Limits Will Affect Children:** According to the SAFE KIDS Coalition, automobile crashes are the leading cause of unintentional injury related deaths for children under age 14.

Practically speaking, raising the speed limits in Kansas will increase the number of accidents and the severity of those collisions. The increased cost of those accidents will be passed on to Kansas consumers in the form of higher insurance rates.

The Kansas Insurance Department opposes New Section 4 of the bill and would ask the Senate Committee on Transportation to delete that section from the legislation. The language in New Section 4, as amended, states that a speeding conviction for driving up to five miles over the posted speed limit shall not be a part of the public record maintained by the Division of Motor Vehicles. That conviction can not be used by an insurance company in determining the rate charged for an automobile liability insurance policy. The insurance company is also not permitted to use the conviction in determining whether to cancel an insurance policy because the insured has three moving violations.

This provision encourages drivers to drive over the new speed limits established under HB 2602 because there would be no effective penalty other than the first imposed by a court. Each speeding ticket would be considered a "first time offense" so drivers would not be deterred from multiple speeding violations. We believe insurance companies should be allowed to rate drivers who exceed the posted speed limits and to cancel the automobile liability insurance of a driver who has three moving violations. Whatever speed limits the legislature ultimately decides, we believe we should have an honest system of enforcement of those limits. If someone wants to drive over the posted speed limit, they should pay the consequences of violating the speed limit.

Thank you again for the opportunity to provide this information for your consideration.