

Approved: February 3, 1997
Date

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE.

The meeting was called to order by Chairperson Gary K. Hayzlett at 1:30 p.m. on January 29, 1997 in Room 526-S of the Capitol.

All members were present except: Representative Eugene Shore, excused

Committee staff present: Hank Avila, Legislative Research Department
Julian Efird, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
Jackie Buchanan, Committee Secretary

Conferees appearing before the committee:

Judy Moler, General Counsel and Legislative Services Director, Kansas Association of Counties
Betty McBride, Director, Kansas Division of Vehicles, Department of Revenue
Mary E. Turkington, Executive Director, Kansas Motor Carriers Association

Others attending: See attached list

Minutes of the January 22 and January 23 meetings were presented for corrections or approval. Representative Dillon made a motion to accept the minutes as written, seconded by Representative Dreher, and the motion carried.

Chair called on Judy Moler, General Counsel and Legislative Services Director, Kansas Association of Counties, who requested introduction of a bill that would allow for borrowing authority to finance county road, bridge and culvert improvements to be in excess of \$250,000. (Attachment 1)

Representative Powers made motion to introduce the bill, seconded by Representative Correll and the motion carried.

HB 2073 - Driver's licenses and nondriver identification cards, expiration there of

Hearing was opened. The Chair called on Betty McBride, Director, Kansas Division of Vehicles, Department of Revenue, who presented testimony in support of **HB 2073** that would extend the renewal cycle of driver license for qualifying individuals from four to six years. **HB 2073** permits individuals over the age of 21 and under the age of 65, and individuals with no reportable medical conditions, to qualify for the six-year license. The bill also extends the non-driver identification card and duplicate licenses from four to six years. The intent of the bill is to reduce lines and waiting time at all driver license stations throughout the state. (Attachment 2)

The Chair called on Mary E. Turkington, Executive Director, Kansas Motor Carriers Association, requesting an amendment to **HB 2073**. The amendment, as outlined in the balloon, would retain the Commercial Drivers License (CDL) as a four-year license and would be uniform with other states on its 4-year cycle. (Attachment 3)

Betty McBride concurred the Division of Vehicles has no problem with the amendment as proposed.

Representative Pauls expressed appreciation of working with Mary E. Turkington on the committee as she will be retiring February 1. Ms. Turkington advised she will be working until the end of the Session.

The hearing on **HB 2073** was closed.

Meeting was adjourned at 2:05.

The next meeting is scheduled for February 3, 1997.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: January 29, 1997

NAME	REPRESENTING
Tom Whitaker	Ks MOTOR CARRIERS ASSN)
Alan Steppart	PETE McLOUIE Associates
Kim M ^e NEILL	ADPATE OF KS INC.
Steve Blantz	Habbell & Assoc.
Judy Moler	KAC
Alan Anderson	KDOR/DOR
Betty M ^e Bride	KDOR
Tom Clark	KDOR
Rick Scheibe	KDOR
R. Lipsy	AP
Mike Sease	Shawnee County
Norman Mann	ABATE of Kansas Inc.
Wayne Turney	KMCA
Mike Kelley	KMCA
Wen Coulter	Ks Good Roads
Bob Totta	Ko Contractors Assoc.
John Reinhart	Ks Prev Assn
Ken Bahr	Economic Lifelines
Marty Bloomquist	Shawnee Co. Fin. Administrator

REQUEST FOR BILL INTRODUCTION

Requested by
The Kansas Association of Counties
January 29, 1997

I am Judy Moler, General Counsel and Legislative Services Director for the Kansas Association of Counties. I am appearing before you today to request legislation of particular importance to our Kansas Counties.

County roads are in increasingly in need of repair due to traffic usage as well as the age and condition of the roads. The current statutory borrowing limitations do not begin to cover the actual cost of replacement. There is not enough statutory flexibility for counties to finance critical projects that arise because of unforeseen circumstances. The tax lid has left many counties with limited financial reserves to deal with emergency situations thus leaving many counties with unsafe roads or bridges or in the position of having to close those roads and bridges to the public.

The Kansas Association of Counties is requesting legislation which would allow for borrowing authority to finance county road and bridge improvements to be in excess of \$250,000. Currently, K.S.A. 68-1103 limits the expenditure of funds to \$250,000 per project to build or repair bridges and culverts. We believe that this is an unrealistic limitation on bridges and culverts as well as upon road projects. In 1988 the statute was amended to give Jewell County expanded authority for road repair. The KAC would ask the same option for all counties to reflect the present day cost of projects to repair roads, bridges or culverts.

I have attached a copy of the legislation we are requesting. I would be glad to answer any questions at this time.

The Kansas Association of Counties, an instrumentality of member counties under K.S.A. 19-2690, provides legislative representation, educational and technical services and a wide range of informational services to its member counties. Inquiries concerning this testimony should be directed to the KAC by calling (913) 233-2271.

*House Transportation
Attachment 1
1-29-97*

68-1103. Bridges and culverts on county roads; county roads, construction and repair; limitation; bonds, when; reconstruction; tax levies. (a) Whenever the board of county commissioners of any county shall determine that it is necessary to build or repair any road, bridge or culvert, the county's ~~share of the cost of which shall be less than the sum of \$250,000, the board shall~~ board may appropriate an amount equal to its share and shall immediately make all contracts for labor, material and all other expense necessary for the construction or repair of such work in the manner provided by law or ~~shall~~ may make and let a contract for the construction or the repair thereof, but the amount appropriated shall not exceed the county engineer's estimated cost to the county for the work.

(b) In any county ~~having a population of more than 25,000 and containing two or more cities of the second class, the board of county commissioners shall determine the necessity of building or repairing any bridge or bridges; shall pass a resolution declaring that such a necessity exists and shall immediately build such bridge or bridges at a cost to be determined by the county engineer's estimate of not to exceed \$100,000 per bridge and appropriate money therefor. The levy for such purpose shall not exceed two mills upon the assessed valuation of the county.~~

~~(b) In any such county or counties where there has been constructed prior to the passage of this act or shall be hereafter constructed any road, bridge or bridges culverts which shall have been destroyed or rendered impassable, or shall be hereafter destroyed or rendered impassable by flood, high water, fire or other casualty, or where there is any road, bridge or bridges condemned culvert determined by the board of county commissioners and the county engineer as unsafe ~~and~~ and/or inadequate to meet the demands of present day traffic, or where the board of county commissioners has made a determination under section (a) of this act, then such board of county commissioners may immediately thereafter construct, repair and or reconstruct such road, bridge or bridges culvert; may adopt a resolution finding and determining a necessity for such construction, repair or reconstruction and may at once proceed to construct, repair or rebuild reconstruct the same at a cost to be determined by the county engineer's estimate ~~not exceeding \$250,000 per bridge~~ and shall appropriate a sufficient amount of money therefor, or if there be not a sufficient amount of money therefor in the proper funds of the county, such board is hereby authorized and empowered to issue general obligation bonds or warrants of the county to pay the costs for the work herein provided for. Any bonds issued under the authority of the ~~foregoing provision~~ authority of this section shall not be subjected to any limitation on the bonded indebtedness of the county. ~~In Lowell county, bonds also may be issued for the construction and repair of roads in accordance with the provisions of this subsection.~~~~

(c) Such board is hereby authorized and empowered to levy and collect taxes for the purpose herein named or for the purpose of retiring any ~~warrants~~ bonds that have been issued, ~~which shall not exceed two mills upon the assessed valuation of the county.~~

~~(d) Under the provisions of this section those bridges which are situated across any stream on any county road are hereby declared to have a preference over the bridges on other roads and shall be repaired and reconstructed before any other bridges are repaired and reconstructed.~~

Betty McBride, Director of Vehicles
Kansas Department of Revenue
915 SW Harrison St.
Topeka, KS 66626-0001



(913) 296-3601
FAX (913) 291-3755
Hearing Impaired TTY (913) 296-3909

Division of Vehicles

TO: The Honorable Gary Hayzlett, Chairman
House Committee on Transportation

FROM: Betty McBride, Director
Kansas Division of Vehicles

Date: January 29, 1997

Subject: House Bill 2073

I am Betty McBride, Director of the Kansas Division of Vehicles. I want to express my appreciation to this Committee for the opportunity to appear before you today, seeking your support for House Bill 2073.

In an effort to reduce waiting time for the issuance of a driver's license at our exam stations and to meet our goal to improve customer service to Kansas citizens, the Division of Vehicles is requesting legislation to extend the renewal cycle of driver license for qualifying individuals from four to six years.

House Bill 2073 permits individuals over the age of twenty one and under the age of sixty five, and individuals with no reportable medical conditions, to qualify for the six year license. The bill also extends the non-driver identification card and duplicate licenses from four to six years.

Statistics available through the Department of Revenue indicate that Kansas has 212,300 licensed drivers under the age of twenty one, 296,093 licensed drivers over the age of sixty five, and 11,000 individuals with reportable medical conditions. We have 1.8 million licensed drivers in Kansas. The Division renews approximately 453,000 driver licenses annually. Passage of House Bill 2073 would mean that approximately 128,000 would remain on a four year cycle and 325,000 would be eligible for a six year license. Currently 700,000 individuals utilize the services provided at Kansas driver license examining stations each year. At the end of four years we will be able to actually determine the impact by the actual count of renewal applicants.

Fees have been amended to coincide with the additional two year extension. This would result in revenue increases for a four year period. During this time, the Department of Transportation will realize an increase in revenue. Revenue will decrease in the fifth and sixth year of registration. However, the total amount of revenue collected by the Division will remain the same at the end of the sixth year.

House Transportation
Attachment 2
1-29-97

The intent of House Bill 2073 is to reduce lines and waiting time at all driver license stations throughout the state. The Division must continue to maintain current staffing levels in order to offer the same level of service. Any reduction in examiners would defeat the purpose of the bill.

Mr. Chairman, members of the Committee, we would appreciate your support in passage of House Bill 2073. I would stand for questions at this time.

STATEMENT

By The

KANSAS MOTOR CARRIERS ASSOCIATION

Presented to the House Transportation
Committee, Rep. Gary Hazlett, Chairman;
Statehouse, Topeka, Wednesday, January
29, 1997.

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 today along with Mike Kelley who will succeed me as KMCA's Executive Director on February 1, and with Tom Whitaker, our Governmental Relations Director; representing our member-firms and the highway transportation industry.

We are here respectfully to ask this Committee to consider an important amendment to House Bill 2073 which proposes revisions in the expiration date of certain driver's licenses.

Our amendment, as outlined on the balloon prepared by the revisor, simply would retain the Commercial Drivers License (CDL) as a four-year license as provided by current law.

Initially adopted in 1989 to conform with federal requirements, the Kansas CDL, we believe, should be uniform with other states in its 4-year renewal cycle. Such renewal requirements are consistent with sound safety practices, with enforcement policies and with industry compliance.

*House Transportation
Attachment 3
1-29-97*

We have reviewed the proposed amendment with the Division of Vehicles and understand that this amendment would pose no problem for the Division as CDL information currently is retained separately.

The heart of the amendment appears on page four of the balloon which, in subsection (3), states "any commercial drivers license shall expire on the fourth anniversary of the date of birth of the licensee which is nearest the date of application."

Page 3 of the balloon simply restores the present commercial drivers license fee at the \$14 currently charged for the four-year license, and restores the \$10 charge for each CDL "endorsement." Endorsements involve special skills for operating a tank vehicle for example or for hauling hazardous materials, operating a passenger vehicle (bus), et al. Part 383 of the Title 49 Code of Federal Regulations (CFR) sets out in great detail the regulations governing the issuance and renewal of a commercial drivers license. Our industry believes current Kansas law serves us well in meeting those CDL obligations.

We ask the Committee to adopt the amendment as reflected in the revisor's balloon thereby retaining current Kansas law for commercial drivers licenses.

We will be pleased to respond to your questions and thank you for the opportunity to present this important amendment to House Bill 2073.

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HOUSE BILL No. 2073

By Committee on Transportation

1-23

9 AN ACT relating to the division of vehicles; concerning the expiration
10 date of driver's licenses and nondriver identification cards; amending
11 K.S.A. 8-1325 and K.S.A. 1996 Supp. 8-240, 8-246 and 8-247 and re-
12 pealing the existing sections.
13

14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 1996 Supp. 8-240 is hereby amended to read as
16 follows: 8-240. (a) Every application for an instruction permit shall be
17 made upon a form furnished by the division of vehicles and accompanied
18 by a fee of \$2 for class A, B or C, and \$5 for all commercial classes. Every
19 other application shall be made upon a form furnished by the division
20 and accompanied by an examination fee of \$3, unless a different fee is
21 required by K.S.A. 8-241, and amendments thereto, and by the proper
22 fee for the license for which the application is made. If the applicant is
23 not required to take an examination the examination fee shall not be
24 required. The examination shall consist of three tests, as follows: (1) Vi-
25 sion; (2) written; and (3) driving. If the applicant fails the vision test, the
26 applicant may have correction of vision made and take the vision test again
27 without any additional fee. If an applicant fails the written test, the ap-
28 plicant may take such test again upon the payment of an additional ex-
29 amination fee of \$1.50. If an applicant fails the driving test, the applicant
30 may take such test again upon the payment of an additional examination
31 fee of \$1.50. If an applicant fails to pass all three of the tests within a
32 period of six months from the date of original application and desires to
33 take additional tests, the applicant shall file an application for reexami-
34 nation upon a form furnished by the division, which shall be accompanied
35 by a reexamination fee of \$3, except that any applicant who fails to pass
36 the written or driving portion of an examination four times within a six-
37 month period, shall be required to wait a period of six months from the
38 date of the last failed examination before additional examinations may be
39 given. Upon the filing of such application and the payment of such re-
40 examination fee, the applicant shall be entitled to reexamination in like
41 manner and subject to the additional fees and time limitation as provided
42 for examination on an original application. If the applicant passes the

1 for which the applicant originally applied, which license shall be issued
2 to expire as if the applicant had passed the original examination.

3 (b) For the purposes of obtaining any driver's license, an applicant,
4 except for any applicant under 16 years of age, shall provide at least two
5 of the documents specified in K.S.A. 8-246, and amendments thereto.
6 Any applicant under 16 years of age shall provide at least one of the
7 documents specified in K.S.A. 8-246, and amendments thereto, which
8 shall contain the date of birth of the applicant and such applicant's parent
9 or guardian shall sign the application for any driver's license.

10 (c) Every application shall state the name, date of birth, sex and res-
11 idence address of the applicant, and briefly describe the applicant, and
12 shall state whether the applicant has theretofore been licensed as a driver,
13 and, if so, when and by what state or country, and whether any such
14 license has ever been suspended or revoked, or whether an application
15 has ever been refused, and, if so, the date of and reason for such suspen-
16 sion, revocation or refusal. In addition to the above criteria, applications
17 for commercial drivers' licenses and instruction permits for commercial
18 licenses must include the following: The applicant's social security num-
19 ber; the person's signature; the person's color photograph; certifications,
20 including those required by 49 C.F.R. 383.71(a), effective January 1,
21 1991; a consent to release driving record information; and, any other
22 information required by the division.

23 (d) When an application is received from a person previously licensed
24 in another jurisdiction, the division shall request a copy of the driver's
25 record from the other jurisdiction. When received, the driver's record
26 shall become a part of the driver's record in this state with the same force
27 and effect as though entered on the driver's record in this state in the
28 original instance.

29 (e) When the division receives a request for a driver's record from
30 another licensing jurisdiction the record shall be forwarded without
31 charge.

32 (f) ~~A fee of \$8 shall be charged for a class C driver's license or farm
33 permit, a fee of \$5 shall be charged for a class M driver's license and a
34 fee of \$12 shall be charged for a class A or B driver's license and a fee of
35 \$14 for any class of commercial license.~~

36 *A fee shall be charged as follows:*

37 (1) *For a class C driver's license issued to a person at least 21 years
38 of age, but less than 65 years of age, \$12;*

39 (2) *for a class C driver's license issued to a person less than 21 years
40 of age or 65 years of age or older, or a farm permit, \$8;*

41 (3) *for a class M driver's license issued to a person at least 21 years
42 of age, but less than 65 years of age, \$6.50;*

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- 1 of age or 65 years of age or older, \$5;
- 2 (5) for a class A or B driver's license issued to a person who is at least
- 3 21 years of age, but less than 65 years of age, \$18;
- 4 (6) for a class A or B driver's license issued to a person less than 21
- 5 years of age or 65 years of age or older, \$12; _____ or
- 6 (7) for any class of commercial driver's license ~~(issued to a person at~~
- 7 ~~least 21 years of age, but less than 65 years of age, \$21, or~~
- 8 ~~(6) for any class of commercial driver's license issued to a person less-~~
- 9 ~~than 21 years of age or 65 years of age or older), \$14.~~

10 A fee of ~~\$10 (\$12)~~ shall be charged for each commercial driver's license _____ \$10

11 endorsement, except air brake endorsements which shall have no charge.

12 If one fails to make an original application or renewal application for a

13 driver's license within the time required by law, or fails to make appli-

14 cation within 60 days after becoming a resident of Kansas, a penalty of

15 \$1 shall be added to the fee charged for the driver's license.

16 Sec. 2. K.S.A. 1996 Supp. 8-246 is hereby amended to read as fol-

17 lows: 8-246. (a) If a driver's license issued under the provisions of this act

18 is lost or destroyed, or if a new name is acquired, the person to whom

19 such driver's license was issued may obtain a replacement upon:

- 20 (1) Furnishing satisfactory proof of the loss, destruction or name
- 21 change to the division, including an affidavit stating the circumstances of
- 22 the loss, destruction or name change;
- 23 (2) payment of a fee of \$4 \$8; and
- 24 (3) furnishing proof of the person's identity as provided in subsection
- 25 (b).
- 26 (b) For the purposes of obtaining a replacement driver's license,
- 27 proof of a person's identity shall include at least two of the following
- 28 documents, one of the documents shall bear the person's signature and
- 29 one of the documents shall bear the person's age or one of the documents
- 30 shall bear the person's signature and age:
- 31 (1) Military identification card;
- 32 (2) military dependent identification card;
- 33 (3) military discharge papers;
- 34 (4) military D.D. 214;
- 35 (5) an original or certified copy of a state issued birth certificate;
- 36 (6) marriage license;
- 37 (7) medicare identification card;
- 38 (8) certified copy of court order specifying a change of name of the
- 39 person;
- 40 (9) commercially produced school yearbook with photograph of the
- 41 person, and the book is less than five years old;
- 42 (10) a passport issued by any country;

3-5
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1 (12) expired or current driver's license or identification card issued
2 by the Kansas division of vehicles or an expired or current driver's license
3 or identification card of another state issued by similar authority, and for
4 any document in this item (12) the document must bear a photograph of
5 the person;

6 (13) student identification card bearing the photograph of the person;

7 (14) employee identification card bearing the photograph of the per-
8 son;

9 (15) a birth certificate issued by any country;

10 (16) a copy of any federal or state income tax return bearing the
11 signature of the person; or

12 (17) an identification certificate issued by the department of correc-
13 tions to an offender under the supervision of the secretary of corrections.

14 (c) The division may waive the furnishing of one of the documents
15 required by subsection (b) in the case of: (1) A person who is 65 or more
16 years of age; or (2) an inmate who has been released on parole, conditional
17 release or expiration of the inmate's maximum sentence. When additional
18 clarification is needed to adequately describe any of the above items, the
19 division shall specify such clarification in making the requirement for such
20 item.

21 (d) In lieu of providing one of the documents required by subsection
22 (b), a person may recite to the satisfaction of the driver's license examiner
23 the recent motor vehicle operating record of the person.

24 (e) Any person who loses a driver's license and who, after obtaining
25 a replacement, finds the original license shall immediately surrender the
26 original license to the division.

27 Sec. 3. K.S.A. 1996 Supp. 8-247 is hereby amended to read as fol-
28 lows: 8-247. (a) All original licenses shall expire on the fourth anniversary
29 of the date of birth of the licensee which is nearest the date of application.
30 All renewals thereof, shall expire on every fourth anniversary of the date
31 of birth of the licensee ~~(issued to person);~~

32 (1) ~~(Who) are at least 21 years of age, but less than 65 years of age~~
33 shall expire on the sixth anniversary of the date of birth of the licensee
34 which is nearest the date of application; ~~(or)~~

35 (2) ~~who are less than 21 years of age or are 65 years of age or older~~
36 shall expire on the fourth anniversary of the date of birth of the licensee
37 which is nearest the date of application. All renewals under paragraph
38 (1) shall expire on every sixth anniversary of the date of birth of the
39 licensee and all renewals under ~~(paragraph (2)) shall expire on every fourth~~
40 anniversary of the date of birth of the licensee. No driver's license shall
41 expire in the same calendar year in which the original license or renewal
42 license is issued, except that if the foregoing provisions of this section

shall expire as follows

licenses issued to persons who

licenses issued to persons

or; (3) any commercial drivers license shall
expire on the fourth anniversary of the date of
birth of the licensee which is nearest the date
of application

paragraphs (2) and (3)

15

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