

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND TOURISM

The meeting was called to order by Chairman Ben Vidricksen at 9:05 a.m. on March 19, 1997 in Room 254-E of the Capitol.

All members were present except:

Committee staff present: Hank Avila, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
Marian Holeman, Committee Secretary

Conferees appearing before the committee: Rep. J. Henry
Bud Cray
Rosalie Thornburgh
Nancy Bogina

Others attending: See attached list

HB 2123 CONCERNING DESIGNATION OF EARHART BRIDGE

Representative Jerry Henry referred members to a recent KANSAS magazine which featured the Amelia Earhart home and a picture of the referenced bridge. Atchison is planning an Earhart Birthday Centennial celebration and that is why they are presenting this bill at this time. Representative Henry introduced Bud Cray from the Atchison Chamber of Commerce who is also honorary co-chair of the Centennial Committee. Mr. Cray advised this bridge was constructed the year Amelia Earhart disappeared. They plan to light the bridge. It will be the second lighted bridge on the Missouri river (Attachment 1). Senator Jordan moved to recommend HB 2123 favorable for passage and further recommended it be placed on the consent calendar. Senator Goodwin seconded the motion. Motion carried.

HB 2093 REGULATING TRAFFIC - RE SAFETY EQUIPMENT AND LOCAL SPEED LIMITS

Rosalie Thornburgh, Bureau Chief, Traffic Safety, Kansas Department of Transportation testified in support of HB 2093 which was requested by the Department, in order to make technical corrections to statutes regarding safety equipment. The House amendment allows local authority to establish maximum speed limits on county and township roads (Attachment 2).

Representative McKinney who introduced the bill had a scheduling conflict and could not attend this meeting but submitted written testimony (Attachment 3) supporting the proposed language in a clarifying amendment proposed by KDOT. Nancy Bogina, Director of Public Affairs, KDOT presented the proposed amendment to Sec. 3. K.S.A. 1996 Supp. 8-1560 (Attachment 4). Senator Harrington moved to adopt the amendment and recommend the bill favorable for passage as amended. Senator Jordan seconded the motion. Motion carried. Senator Harrington will carry the bill.

HB 2202 RE DRIVERS LICENSE - FIRE TRUCKS

The Committee held hearings on this bill on March 13, 1997 and conceptually amended the bill. Need to reconsider that action because there were no parameters set on including both paid and unpaid firemen and went far beyond committee intent. Senator Karr moved to reconsider HB 2202 and bring it back to Committee for possible amendment. Senator Gilstrap seconded the motion. Motion carried.

Discussed the intent of the amendment which was aimed at not eliminating about half the fire departments in small communities. The other side of the issue concerns safety in larger population areas where there are more volunteers than paid fire fighters. It was pointed out that it is the Fire Chief's responsibility to determine who should be driving the large pieces of equipment. Representative Correll was trying to address the liability problem of volunteers who might be involved in an accident. Members discussed ways to deal with the issue.

The original bill would cover a large percentage of the people we are trying to protect. Senator Salmans moved to withdraw the amendment from the bill. Senator Karr seconded the motion. Motion carried. Senator Tyson moved to amend this bill to cover any volunteers in fire departments in cities with a population of 25,000 or less. Senator Gilstrap seconded the motion. Motion carried. Senator Karr moved to report the bill as it was introduced favorable for passage. Senator Karr moved to adopt a clarifying motion regarding definition of Commercial Driver's License (CDL) as contained in the bill. Senator Gilstrap seconded the motion. Motion carried. Senator Gilstrap moved to recommend the amended **HB 2202** favorable for passage. Senator Tyson seconded the motion. Motion carried.

Meeting adjourned at 10:15 a.m.

The next meeting is scheduled for March 20, 1997.

SENATE TRANSPORTATION AND TOURISM
COMMITTEE GUEST LIST

DATE: MARCH 19, 1997

NAME	REPRESENTING
Joyce Cross	Johnson County Summit
R. Lipsy	AD
P.R. Tait	MAJOR LEADER'S OFFICE
Ken P. Slunk	FHSU
John Deery	Atchison
Clint & Cindy	Atchison
Honda Parkie	Atchison
Wanda Jean Smith	KMHA
Wm. M. [unclear]	KADA
Tom Palace	Koma
Glenn Thompson	Stand Up For K.S.
John Peterson	Ki. Grounded Consulting
Rosalie Thornburgh	KDOT
Jim Tobaben	KDOT
Nancy Bagina	KDOT
Bill Watts	KDOT
Lisa Meyer	KS Governmental Consulting



AMELIA EARHART
Birthday Centennial
1897 - 1997

Atchison Area

Chamber of Commerce

200 South 10th St.

P.O. Box 126

Atchison, Ks. 66002

913-367-2427

800-234-1854

Fax: 913-367-2485

PRESENTATION TO THE SENATE TRANSPORTATION COMMITTEE
OF THE STATE OF KANSAS

BY CLOUD L. "BUD" CRAY
HONORARY CO-CHAIR
AMELIA EARHART BIRTHDAY CENTENNIAL COMMITTEE

MARCH 19, 1997

As Honorary Co-Chair of the Amelia Earhart Birthday Centennial, I am grateful for the opportunity to come before you today to express my support for a proposal to name the river bridge in Atchison "The Amelia Earhart Memorial Bridge."

While many events will come and go throughout the Centennial year, some will endure in significance well beyond 1997. The naming of the bridge in Amelia's memory would constitute such an event. I cannot imagine a more suitable name, nor a more appropriate time than now, when we in Kansas are paying special tribute to one of our most famous daughters.

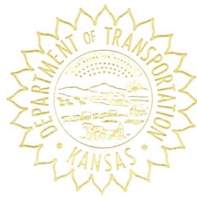
As individuals and as a committee, you have a unique opportunity to perpetuate this tribute.....to proliferate the memory of a great pioneer whose accomplishments in the sky are deeply rooted in our soil.

Just as Amelia's legendary achievements continue to draw worldwide attention to our State, the bridge carries many travelers over the Missouri River into Kansas each day. The river undoubtedly was a source of inspiration to Amelia as it coursed freely beside the bluffs past her childhood home in Atchison. Indeed, she shared much with the river in the way of character -- bold.....spirited.....independent.....destined for greatness.

Among the projects our Centennial Committee has planned for this year's celebration is the installation of decorative lighting along the outline of the bridge. This project will greatly enhance the attractiveness of the bridge and create yet another landmark for our State. Your acceptance of our proposal to name the bridge in memory of Amelia Earhart would be a fitting way to honor her, while providing inspiration to other Kansans destined for greatness. Thank you for your consideration.

SENATE TRANSPORTATION & TOURISM
3/19/97
ATTACHMENT 1

1-1



KANSAS DEPARTMENT OF TRANSPORTATION

E. Dean Carlson
Secretary of Transportation

Docking State Office Building
Topeka 66612-1568
(913) 296-3566
TTY (913) 296-3585
FAX (913) 296-1095

Bill Graves
Governor of Kansas

**TESTIMONY BEFORE THE
SENATE COMMITTEE ON TRANSPORTATION AND TOURISM
Regarding House Bill 2093:
Concerning Certain Safety Equipment and
Alteration of Maximum Speed Limits by Local Authorities**

March 19, 1997

Mr. Chairman and Committee Members:

Mr. Chairman and members of the committee, I am Rosalie Thornburgh, Bureau Chief of Traffic Safety at the Kansas Department of Transportation. I am here today to provide testimony on House Bill 2093. As originally requested by the Department, this bill would make technical corrections to two statutes regarding safety equipment. As amended by the House Committee, it would also make it possible for local authorities to modify the maximum speed limits on county and township roads. I will address the safety equipment first.

Both K.S.A. 8-1598 and K.S.A. 8-1344 require the Secretary of Transportation to publish approved safety products lists and/or approve safety devices. These statutes were created at a time when the highway safety program was operating under uniform and mandated standards and the above practices were required. Management of the program has now shifted from enforcing standards to one of problem identification and countermeasure development and evaluation, using the standards as a framework. The proposed technical corrections would eliminate the need for the Secretary to publish approved safety products lists or approve safety devices, by incorporating the appropriate reference to federal regulations or guidelines.

K.S.A. 8-1598 governs the operation of motorcycles and requires that "The Secretary shall publish lists of all eye protective devices by name and type which he has approved." Our source for the list of approved safety devices is no longer available. The VESC-8 (Vehicle Equipment Safety Commission), which historically provided us with this service, is no longer in business. In regard to eye protective devices, we believe the language in Section 2(b) of the bill will be adequate to ensure safety.

House Bill 2093
March 19, 1997
Page 2 of 2

K.S.A. 8-1344 governs child passenger safety and requires that the Secretary "shall approve those (child passenger safety restraining systems) systems..." We believe that applicable federal regulation exists which provides appropriate guidance and have provided that proposed language. These two proposed changes preserve the intent of the law and do not compromise the safety of Kansas motorists.

K.S.A. 8-1560 governs the alteration of maximum speed limits and the powers of local authorities. The intent of the amendment is to allow the local authorities who have jurisdiction over county or township roads the power to establish maximum speed limits without an engineering and traffic investigation, except that in no event may that limit exceed 65 mph. We do not object to this amendment as long as the wording is modified to clarify the intent of this change.

DENNIS MCKINNEY
REPRESENTATIVE, 108TH DISTRICT
612 S. SPRUCE
GREENSBURG, KS 67054
(316) 723-2129
STATE CAPITOL—278-W
TOPEKA, KS 66612-1504
(913) 296-7658



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: ENERGY & NATURAL RESOURCES
TAXATION
TRANSPORTATION

March 19, 1997

Senate Committee on Transportation and Tourism

Senator Ben Vidricksen, Chairman

HB 2093 Written Testimony

Last year the speed limit bill included language that allowed the Secretary of KDOT to change many speed limits without a traffic engineering study. On most highways it was obvious what the speed limit would be and there was no point in taking the time and expense of an engineering study prior to raising the limit from 55 to 65.

However the language relating to county highways was ambiguous. And counties have some situations where the highway may be of low traffic count and of a quality comparable to a state highway. But when preparing to raise the speed limit some counties felt they were confronted with the requirement to do an engineering study which could cost \$5,000 to \$15,000.

The amendment I supported in the House Transportation committee merely gives the counties the option of having or not having an engineering study prior to changing a speed limit. The county commissioners can assess the situation with common sense and if they fear legal liability can contract a study or refuse to change the speed limit.

The amendment was meant only to apply to local highways, not state highways. To make that more clear KDOT has drafted an appropriate amendment. Nancy Bogina has shown me the proposed language which I fully support.

Thank you for your time and consideration.

SENATE TRANSPORTATION & TOURISM
3/19/97
ATTACHMENT 3

3-1

Sec. 3. K.S.A. 1996 Supp. 8-1560 is hereby amended to read as follows: 8-1560. (a) Whenever local authorities in their respective jurisdictions determine on the basis of an engineering and traffic investigation that the maximum speed permitted is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit thereon which:

(1) Decreases the limit at intersections;

(2) increases the limit within an urban district but not to exceed the maximum speed of 65 miles per hour;

(3) decreases the limit outside an urban district, but not to less than 20 miles per hour, except as authorized by K.S.A. 1996 Supp. 8-1560a;

(4) decreases the limit within an urban district in a school zone to not less than 20 miles per hour, except that any such decreased limit shall apply only during the hours in which students are normally en route to or from school, such zones and hours to be determined by ordinance or resolution of such local authority; or

(5) decreases the limit within any residence district, but not to less than 20 miles per hour.

(b) Except as provided in subsection (h), local authorities in their respective jurisdictions may determine by an engineering and traffic investigation the proper maximum speed for all arterial streets and shall declare a reasonable and safe maximum limit thereon which may be greater or less than the maximum speed permitted under this act for an urban district or other location in which the arterial street is situated, except that in no event shall any local authority establish any such maximum limit in excess of 65 miles per hour.

(c) Except as otherwise provided in paragraph (4) of subsection (a), any altered limit established as authorized shall be effective at all times or during hours of darkness or at other

times as may be determined when appropriate signs giving notice thereof are erected upon such street or highway.

(d) Any alteration of maximum limits on city connecting links shall not be effective until such alteration has been approved by the secretary of transportation.

(e) If local authorities in their respective jurisdictions have established a speed limit within any residence district which is less than 30 miles per hour, prior to the effective date of this act, such speed limit shall be deemed valid and shall not require an engineering and traffic investigation.

(f) Local authorities in their respective jurisdictions may establish the speed limit within a road construction zone, as defined in K.S.A. 1996 Supp. 8-1458a, and amendments thereto, upon any highway under the jurisdiction of such local authorities.

(g) The provisions of K.S.A. 1996 Supp. 8-1560b shall apply to the limitations on speed limits provided by subsection (a) of this section.

(h) Local authorities who have jurisdiction over county or township highways may determine based on an engineering and traffic investigation or without an engineering and traffic investigation the proper maximum speed for such county or township highways and shall declare a reasonable and safe maximum limit thereon which may be greater or less than the maximum speed permitted under this act, except that in no event shall any local authority establish any such maximum limit in excess of 65 miles per hour.