

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 24, 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. McClure
Rep. Larkin
John Maberry
Katie Sholander

Others attending: See attached list

HB 2280 SCHOOL BUSES - EXEMPTIONS FROM CERTAIN REQUIREMENTS

Constituents of Representatives McClure and Larkin requested this bill to extend the useful life of a school bus from 12 to 20 years. Representative McClure's information in support of the bill included the fact that buses must still be inspected. The bill merely attempts to return control to local school boards by allowing them more time to determine the usefulness of their buses. Representative Larkin confirmed that school districts believe this will save them a great deal of money while in no way jeopardizing the safety of school buses. (No written testimony.)

John Maberry, Director of Transportation, U.S.D. #384, Manhattan, KS, representing the Kansas State Pupil Transportation Association, presented arguments opposing this bill (Attachment 1). Katie Sholander, Transportation Director, U.S.D. #443, Dodge City, KS, also appeared in opposition to the bill (Attachment 2). Barbara Pringle, Executive Secretary, Kansas State Pupil Transportation Association, was unable to appear before the committee but provided written testimony in opposition to **HB 2280** (Attachment 3).

Committee discussed cost effectiveness of maintaining old buses. The process of, and necessity for, micro-managing local school boards. Have no information on this issue from KDOT and Department of Education Staff advised that the "years" apply only to how long a bus can be used after a safety feature change has been made and to which the bus does not conform. Any school bus that currently conforms to state regulations can be operated as long as it continues to run and pass inspections. Additional information requested for tomorrow at which time this bill will be reconsidered.

HB 2348 TRAVEL & TOURISM - ESTABLISHING COUNCIL **HB 2374 ESTABLISHING TOURISM FUND & COUNCIL**

Report of sub-committee on these three bills included recommendations to amend **HB 2348** into **HB 2374** with some modification. No written sub-committee report. They recommended eliminating the new council, referring back to the Commission on Travel and Tourism which already exists and which will take care of anything referenced in either bill. Also, eliminated having to return to Legislature for final approval, slightly changed membership on commission and reduced funding to \$1 million for major attractions.

The Chair asked for comments from attendees. Responses included: (1) Strategic planning for, and development of, tourism is vital to the economy of the state. (2) Tourism can impact the most areas in the State. Currently, the bill is for four years only. It was also recommended the bill be amended to read "on going," subject to appropriations. Jean Barbee, TIAK, and Susan Duffy, State Historical Society, supported the concepts in the sub-committee report.

Senator Jordan moved to credit to the State Tourism Fund the first \$1.0 million in excess of \$50.0 million credited to the State Gaming Revenue Fund, beginning on June 25, 1997 and each year thereafter. Senator Harrington seconded the motion. Motion carried. Senator Jordan moved to adopt the sub-committee report.

Senator Gilstrap seconded the motion. Motion carried. Senator Harrington moved to recommend **HB 2374** as amended, favorable for passage. Senator Jordan seconded the motion. Motion carried.

HB 2350 DEVELOPING LAKE RESORTS

The sub-committee took no action on **HB 2350**. Senator Huelskamp moved to conceptually amend the bill to clarify that the study will consider sites only at existing state parks or lakes. Senator Gilstrap seconded the motion. Motion carried. Senator Jordan moved to recommend **amended HB 2350** favorable for passage. Senator Harrington seconded the motion. Motion carried.

Meeting adjourned at 10:05 a.m.

The next meeting is scheduled for March 25, 1997.

SENATE TRANSPORTATION AND TOURISM
COMMITTEE GUEST LIST

DATE: MARCH 24, 1997

NAME	REPRESENTING
Claudia Larkin	KDOCH/T+T
John Malberry	USD 383 Manhattan
Ron Pflughof	FHJU
Katei Sholander	USD 443 Dodge City
Lynn Hauss	USD 443 Dodge City
LARRY BLUTHARDT	KS- DEPT. of ED.
Evelyn L. Davis	KSPTA (Ks. St. Pupil Trans. Assoc.)
Josann Neff	State Historical Society
Bruce Larkin	House
Dan Hamer	
Tom WHITAKER	Ks Motor Carriers Assn
Jean Barber	TIAR
Bill Cantel	KDWP
Howard Rowley	KTCB
Rae Meyer	KS Governmental Consulting

**Manhattan - Ogden
U.S.D. 383**



Where all can learn

Mar 21, 1997

Reference H.B. 2280

A school bus is the best built, safest vehicle on the road due to the engineering and care put into design but they wear out just like any other vehicle. Even with the dedicated service of the most professional mechanic this is still inevitable.

The current legislation allows for 12 years of use which is the maximum amount of time a school bus should be used for student transportation. If the time allowed for the safe operation of this vehicle is extended to 20 years it will increase the cost of the maintenance drastically. Typically during the first five years of use maintenance costs are very low, yet during the next five years the costs increase dramatically due to replacement of worn parts. These parts, such as brakes, tires, clutches, electrical and body parts, are usually the first to wear out and need replacement. The last two years its likely that the engine and/or the transmission will require repair or replacement at a cost of over \$10,000.00.

The initial cost of a school bus is depreciated out over an eight year period. The intention of this legislation was to allow school districts to replace school busses on a regular basis. A reasonable replacement schedule of no more than 12 years must be maintained in order to avoid compromising both our financial responsibility and student safety.

I believe that all tax supported organizations must maximize every dollar they spend. To allow a school bus to stay in service for 20 years would not only waste money by maintaining an aging fleet, it would compromise the most important aspect of our job, the safety of our children.

Respectfully,

John Maberry, Director of Transportation

U.S.D. #383, Manhattan KS

SENATE TRANSPORTATION & TOURISM
3/24/97
ATTACHMENT 1

1-1

Kansas Senate Transportation Committee

Chairman
Senator Ben Vidricksen

House Bill #2280

March 24, 1997

Presented by:

Katie Sholander
Transportation Director
U.S.D. #443, Dodge City
P.O. Box 460
Dodge City, KS 67801

Wk: 316-227-1613

Hm: 316-227-7569

SENATE TRANSPORTATION & TOURISM
3/24/97
ATTACHMENT 2

2-1

Currently school buses are the safest method of transportation in the United States. It is an extremely reliable and most times the only method of transportation to school for a great number of students throughout the state. They have no choice as to a mode of transportation and rely on the laws to ensure their safety . I oppose House Bill 2280 that would extend the life of a school bus from 12 years to 20 years with no requirements to the meet the new safety requirements or provide for enhanced inspections because it will compromise the safety of all our students.

I am a native of Kansas and I have had the opportunity in my professional career to work with school transportation in Missouri as well as Kansas. in Missouri they have a vehicle inspection similar to the bus inspection performed by the Kansas Highway Patrol each summer. In addition there is an extensive inspection done in that state by a team of specially trained officers during January, February and March. The inspection includes the braking systems, tires, exhaust system, suspension. drive train, lights, body structure and all safety equipment (such as all emergency and loading lights, the horn, stop arm, etc....). These inspections are not limited to just those vehicles over a certain age or mileage but include all vehicles being used to drive routes, either regular or substitute. All inspections are performed between routes while the vehicles are being used on a regular basis.

There are currently districts in the state that because of their size do not accumulate enough miles on their buses in a 12 year period. These districts have made financial provisions and arrangements to retrofit their fleet to address the safety changes. Most other districts established a rotation schedule started in 1993 to replace the out of compliance vehicles in time to meet the deadline

before July 1, 1998. The financial concerns have already been met by all but a select few.

The safety changes that are currently mandatory and must be changed before July 1, 1998 are:

- Device to prop the emergency door to expedite evacuation.
- Additional emergency exits to include one per side +
- Roof hatches for ventilation and emergency exit +
 minimum of 1 for vehicles rated for less than 22 passengers
 minimum of 2 for vehicles rated for more than 23 passengers
- Push out windows +
 + these must be equipped with an audible warning device
- Body fluid clean up kits to protect the driver and passengers from contagious diseases.
- Removal of luggage racks and other unnecessary projectiles
- Interior screw down plate to access the fuel tank sending unit
- More and larger combination stop/tail lights
- Larger interior mirror made of laminated glass
- New cross view and rear view mirror systems on the exterior to increase the drivers visibility of not only traffic but also the students in the Danger Zone around the bus
- Reflective materials on the rear and sides of the school bus to increase the vehicle visibility by other drivers in daylight, dark and inclement weather
- High backed driver seat with shoulder harness and seat belt
- Flame retarding materials on the seat cushions to allow more time for safe emergency evacuation in the event of a fire.
- Back up warning beepers

Buses across the state "age" at different rates. Buses driven on primarily rural routes with dirt and gravel road surfaces have a great deal of physical stress placed on all the components and can literally "shake apart". Buses in a more urban setting have to endure a great deal of stop and go traffic. Any vehicle has a different life span dependent on the use for that specific vehicle and the way it is maintained.

The age restriction and the changes in safety standards for school buses were not entered into lightly and were seen as being the best solution to answer the various situations noted before. These changes were supported by the facts presented at the 1990 National Standards for School Transportation and were considered a reasonable solution without a serious financial impact to any school district transportation department or school bus transportation contractor. These regulations were enacted in answer to responsible people taking action to prevent disasters from happening.

Some of these items may seem extreme but in my experience these enhanced safety features are a valuable asset for their life saving potential. Each feature has the capability to save as many as 60+ lives in a single action and no one could begin to guess the real number of lives that could be impacted.

The future of our state will ride on a school bus daily. This issue goes beyond the needs of a single district or contractor and involves all of Kansas. I urge you to oppose this change and support the age restriction currently in place for school buses in the Kansas for all Kansans today and in the future.

3-21-97

Senata Vidriker,

I wanted to be there on this issue as it is very important to me, but due to family illness I must be here.

Thank you for taking the time to become involved in school bus and children safety.

Thank you

Barbara Tringle

Kansas Senate Transportation Committee

**Chairman
Senator Ben Vidricksen**

House Bill # 2280

March 24, 1997

Presented By

**Barbara Pringle
Executive Secretary
Kansas State Pupil
Transportation Association
P.O. Box 1504
Emporia, Kansas 66801
Wk 316-341-2218
Hm 316-342-4009
E-mail ksptabus@cadvantage.com**

On behalf of the Kansas State Pupil Transportation Association I would like to express our opposition to House Bill 2280. This bill would extend, from 12 years to 20 years, the time period a school bus could be used and exempt from meeting new safety requirements.

I was at the initial House Transportation Committee hearing on HB # 2280.

The original intent of the bill was to extend the number years a school bus with less than 100,000 miles would be exempt, from any requirements of laws or regulations which become effective for a period of 16 years from date of manufacture of the school bus.

The bill required an enhanced inspection of the school bus to ensure it would be road worthy. The enhanced inspection would be performed by a dealership or manufacturer and include such items as chassis, brake system and fuel system.

The original bill 2280 is not even close to the Bill that evolved.

In March of 1992 we were sent a memo from the Kansas Department of Transportation that a 6 year phase in for meeting new regulations would become effective, and current buses would have to meet that regulation on, July 1, 1998.

The six year replacement schedule would have been an extreme financial burden on school districts.

We proceeded to contact many states, school districts and manufacturers to determine a reasonable time period for use of a bus. We proposed a safe and useful life expectancy of a school bus to be 12 years.

This is the basis for the current regulation of 12 years. This regulation became effective on July 1, 1992. This date provided six years to phase in the new regulations and for districts and contractors to develop replacement schedules and make plans to retrofit buses that could be retrofitted. Most districts have done just that, a few have delayed and may find themselves facing a budget crisis for their transportation funds as well as everything else.

HB 2280 was proposed because a contractor operating 2 buses with a

single spare wanted to continue using an older bus without current safety equipment features in his business.

The purpose of the 12 year clause was not to cause anyone, private or public any budget problems, but to ensure the children were being transported with safety features that could save their lives in the event of an emergency.

Current safety equipment that would be exempt on some buses for up to 20 years include:

- * new cross view mirror systems
- * increased emergency exits such as side emergency doors, roof hatches and push out side windows.
- * reflective materials on the rear and sides of the bus to increase conspicuity
- * Back-up warning alarms
- * drivers seat and shoulder harness to protect driver from impact with the steering column
- * flame retardant materials on seat cushions
- * body fluid clean up kits
- * forward facing seats and wheel chairs

Special Needs buses were not addressed in the Kansas regulations until 1995.

Delaying these safety features on many buses until the year 2014 and after is irresponsible. The National Transportation Safety Board and National Highway Traffic Safety Administration have determined these safety features to be necessary for the safety of the children.

Twenty years for compliance of school bus safety regulations is inappropriate and unsafe for our children. The twelve year period is a useful period, and still allows school districts to meet new standards in a reasonable time frame.

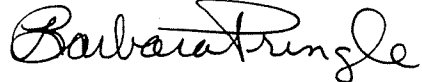
The 12 year clause was not entered into lightly. Studies were conducted to determine fiscal impact and 12 years was considered the best solution. A twenty year clause would be the same as an unlimited life for a school bus.

A favorable vote on bill 2280 will mean stepping backwards 20 years for school bus safety in Kansas and putting our children in jeopardy unnecessarily.

I urge you to oppose this change and not allow the use of 20 year old school buses with inadequate safety features to continue to transport our children.

This is not a financial issue but an issue that could have grave consequences.

Respectfully,



Barbara Pringle
Executive Secretary
Kansas State Pupil Transportation Association
P.O. Box 1504
Emporia, Kansas 66801
Wk 316-341-2218
Hm 316-342-4009
E-mail ksptabus@cadvantage.com