

Approved: 3-5-98
Date

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE.

The meeting was called to order by Chairperson Gary K. Hayzlett at 1:40 p.m. on February 20, 1998 in Room 526-S of the Capitol.

All members were present except: Representative Andrew Howell
Representative Margaret Long

Committee staff present: Hank Avila, Legislative Research Department
Reed Holwegner, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
J. Patterson, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Representative Powers made a motion to introduce a concurrent resolution to reauthorize the federal highway program. Representative Dillon seconded and the motion carried.

Representative Shore briefed the committee on a bill Betty McBride, Department of Revenue, would like. It would change the way the larger pickups and smaller pickups are taxed.

Representative Shore made a motion to remove SB 139 from the table, Representative McKinney seconded and the motion carried.

Representative Shore made a motion to make a house substitute for substitute 139, Representative Powers seconded and the motion carried.

Representative Dillon made a motion to move the bill out bill favorably, Representative Correll seconded and the motion carried.

HB 2803 - Establishing Kansas highway trust fund.

Representative McKinney made a motion to strike Section 3, Representative McClure seconded.

Representative Ray asked Representative Presta if he agreed with the changes. He agreed with it.

The motion carried.

Some discussion regarding availability of funds. Bruce Kinzie suggested striking July 1, 2002 and adding when Secretary of Transportation needs it on line 25. Representative McKinney suggested putting a period after the word "statute" on line 25. Representative Schwartz questioned whether the name could be changed from Highway trust fund to Transportation trust fund. (Attachment 1)

Representative McClure made a motion to put a period after "statute" on line 25 and striking the rest of the sentence, change language where the dates are, and change the name Highway trust to Transportation trust. Representative Shore seconded and the motion carried as amended.

Representative Shore made a motion to pass the bill out favorably as amended, Representative McClure seconded. The motion carried with Representative Powers voting no.

HB 2648 - Records of the division of vehicles.

Representative Ray restated her stance on **HB 2648**. She feels the privacy of the bill is very important and supported. Bruce updated the committee on the bill draft and current law. With the new bill everyone will be opted out.

Representative Ray made a motion to pass the bill out favorably, Representative Powers seconded and the motion did not carry. (7-7)

HB 2678 - Records of the division of vehicles.

This bill asks that military license plates stay with the surviving spouse as memorabilia. Representative Minor asked that an amendment be made to allow antique license plates on the back of vehicles. He has changed his views to allow them on the front where registration is not required.

Representative Dillon made a motion to amend the bill to allow an antique plate on the front, seconded by Representative McKinney, the motion carried.

Representative Dillon made a motion to pass the bill out favorably as amended, Representative McKinney seconded and the motion carried.

HB 2690 - Records of the division of vehicles.

Representative Flower passed out a balloon to the committee that includes the same language as the Colorado bill. (Attachment 2) It also includes that persons riding two abreast shall not impede traffic and on laned roads they shall ride within a single lane. Several committee members had disagreements with this bill.

Representative Shore made a motion to adopt the balloon to the bill, Representative Dillon seconded and the motion carried.

Representative Powers made a motion to pass the bill out favorably as amended, Representative Flower seconded and the motion did not carry. The vote was 8-5 against.

Representative Shore made a motion to approve the minutes, Representative Correll seconded and the motion carried.

The meeting was adjourned at 2:25 p.m.

The next meeting is scheduled for February 23, 1998.

HOUSE CONCURRENT RESOLUTION NO. _____

By Committee on Transportation

A CONCURRENT RESOLUTION urging the United States Congress to enact legislation reauthorizing the federal highway program by May 1, 1998.

WHEREAS, A safe and efficient highway system is essential to the nation's international competitiveness, key to domestic productivity, and vital to our quality of life; and

WHEREAS, Kansas has critical highway investment needs that cannot be addressed with current financial resources; and

WHEREAS, The current level of federal funding for the nation's highway system is inadequate to meet rehabilitation needs, to protect the safety of the traveling public, to begin solving congestion and rural access problems, to conduct adequate transportation research and to keep the United States competitive in a global economy; and

WHEREAS, The federal highway program is financed by dedicated user fees collected from motorists to improve the highway system and deposited in the federal highway trust fund. The Taxpayer Relief Act of 1997 transferred all federal motor fuel taxes into the highway trust fund but provided no mechanism to ensure the funds are spent; and

WHEREAS, The 1998 congressional budget would constrain federal highway spending well below the level of highway tax receipts, allowing the highway trust fund's cash balance to grow from just over \$22,000,000,000 today to more than \$70,000,000,000 by the year 2003; and

WHEREAS, Kansas and other states will be prohibited from obligating any federal highway funds after April 30, 1998, unless Congress and the President enact new highway legislation by that date; and

WHEREAS, Without federal highway funds, many states will be

House Transportation
2-20-98
Attachment 1

forced to delay life-saving safety improvements, congestion relief projects, and other road and bridge improvements: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Legislature of the State of Kansas urge the United States Congress to enact legislation reauthorizing the federal highway program by May 1, 1998; and

Be it further resolved: That the reauthorization bill should fund the federal highway program at the highest level that the user-financed highway trust fund will support; and

Be it further resolved: That the Secretary of State be directed to send copies of this resolution to the President of the United States, Speaker of the House of Representatives of the United States, the President of the Senate of the United States and to each member of the Kansas Congressional Delegation.

HOUSE BILL No. 2690

By Committee on Transportation

1-22

9 AN ACT regulating traffic; concerning bicycles single-file; exceptions;
10 amending K.S.A. 1997 Supp. 8-1590 and repealing the existing section.

11
12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 1997 Supp. 8-1590 is hereby amended to read as
14 follows: 8-1590. (a) Every person operating a bicycle or a moped upon a
15 roadway at less than the normal speed of traffic at the time and place and
16 under the conditions then existing shall ride as near to the right side of
17 the roadway as practicable, except under any of the following situations
18 when: (1) Overtaking and passing another bicycle or vehicle proceeding
19 in the same direction; (2) preparing for a left turn at an intersection or
20 into a private road or driveway; or (3) reasonably necessary to avoid con-
21 ditions including, but not limited to, fixed or moving objects, parked or
22 moving bicycles, bicycles, pedestrians, animals, surface hazards or narrow
23 width lanes that make it unsafe to continue along the right-hand edge of
24 the roadway

25 (b) Any person operating a bicycle or a moped upon a one-way high-
26 way with two or more marked traffic lanes may ride as near to the left
27 side of the roadway as practicable.

28 (c) ~~Persons riding bicycles upon a roadway shall not ride more than~~
29 ~~two abreast ride single-file [except on] paths or parts of roadways set aside~~
30 ~~for the exclusive use of bicycles. A city may authorize persons riding~~
31 ~~bicycles upon a roadway within the corporate limits of such city to ride~~
32 ~~not more than two abreast.~~

33 (d) Wherever a usable path for bicycles has been provided adjacent
34 to a roadway, bicycle riders shall use such path and shall not use the
35 roadway.

36 (e) For purposes of this section, "narrow width lane" means a lane
37 that is too narrow for a bicycle and a vehicle to travel safely side-by-side
38 within the lane.

39 Sec. 2. K.S.A. 1997 Supp. 8-1590 is hereby repealed.

40 Sec. 3. This act shall take effect and be in force from and after its
41 publication in the statute book.

(1)

except that riding no more than two abreast is permitted in the following circumstances:

(A) When there is no motor vehicle traffic approaching from the rear within a distance of 300 feet and the sight distance on the roadway at the time and place and under the conditions then existing is a minimum of 300 feet to the front and to the rear of the bicyclist; or

(B) when on

(2) Persons riding two abreast shall not impede the normal and reasonable movement of traffic, and on a laned roadway, shall ride within a single lane.

2-20-98
Attachment 2
House Transportation