

Approved: 3-18-98  
Date

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE.

The meeting was called to order by Chairperson Gary K. Hayzlett at 1:35 p.m. on March 17, 1998 in Room 526-S of the Capitol.

All members were present except: Representative Joann Flower  
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: Clint Riley, Kansas Wildlife and Parks

Others attending: See attached list

**SB 236 - Boating safety education certification**

Clint Riley was the only proponent to testify for the bill. **SB 236** would require all persons born after Jan. 1, 1987 to possess a certificate of completion of a boating safety course authorized by the department in order to operate a motorboat or sailboat on Kansas public waters. The bill authorizes the department to establish such courses, and provides that they be a minimum of 8 hours and recognized by the U.S. Coast Guard. The bill would allow persons to complete the course by approved correspondence course materials and examination. The bill also would allow the department to recognize courses completed in other states. In addition, it would provide an exemption to non-residents in the state for less than 30 days, and a 60-day grace period to new residents. (Attachment 1) There was some discussion and the hearing was closed.

**SB 542 - Repossessed certificates of title, fee fund**

A balloon was distributed showing the following change in Section 2, f, line 13: "who has received training from the highway patrol in accordance with rules and regulations adopted by the superintendent of the highway patrol,". (ATTACHMENT 2)

Representative Dillon made a motion to amend the bill, Representative Shore seconded the motion. The motion carried to accept the amendment as written.

Representative McKinney made a motion to tack on **HB 2737** with **SB 542**, Representative Humerickhouse seconded and the motion carried.

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

Chair asked for the approval of the minutes.

The minutes were approved as written.

The meeting was adjourned.

The next scheduled meeting will be March 18, 1998.

# HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: ~~3-16-98~~ 3-17-98

NAME	REPRESENTING
Brad Lueger	Nemaha Co.
Greg Bergman	Nemaha
Chris Wiehe	Leavenworth
NICK Greenwood	Leavenworth
Cameron McGinn	Leavenworth
Joel Ryan	Leavenworth
Jason Anderson	Leavenworth
Ross Gurney	Leavenworth
Amanda Gabbert	Linn
Stephanie Hayes	Linn
Sean Ryan	Leavenworth
Michael Winkler	Fatum for Rep Joan Flower
Cheri Swayne, Boating Ed Coord.	KS Wildlife + Parks
Clint Riley	KS Wildlife + Parks
Wrocther Peissol	Leavenworth
Kate Hys	Leavenworth
Stacy Porter	Leavenworth

# HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 3-17-98

NAME	REPRESENTING
Matt Hobson	Pittsburg State University
Tom Whitaker	K's Motor Carriers Assn
Brian Norman	Leavenworth
Ty Mcbown	Leavenworth, county
Rick Scheibe	KDOR
Billy Scheibe	KDOR



STATE OF KANSAS  
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary  
900 SW Jackson, Suite 502  
Topeka, KS 66612-1233  
785/296-2281 FAX 785/296-6953



Senate Bill 236  
Testimony

Presented to: House Committee on Transportation  
Provided by: Kansas Department of Wildlife and Parks  
Date: March 17, 1998

SB 236 would require all persons born after Jan. 1, 1987 to possess a certificate of completion of a boating safety course authorized by department in order to operate a motorboat or sailboat on Kansas public waters. The bill authorizes the department to establish such courses, and provides that they be a minimum of 8 hours and recognized by the U.S. Coast Guard. The bill would allow persons to complete the course by approved correspondence course materials and examination. The bill also would allow the department to recognize courses completed in other states. In addition, it would provide an exemption to non-residents in the state for less than 30 days, and a 60-day grace period to new residents.

Currently, a boating safety course is required of persons age 12 to 15 for solo operation of personal watercraft (sometimes collectively referred to by the brand name "Jetski"). The department conducts approximately 40 courses each year, taught by volunteer instructors, and provides a correspondence-course alternative by mail. Approximately 1,000 students were certified last year. Prior to the regulation for 12- to 15-year-old boaters enacted two years ago less than 100 people a year took the course. Although voluntary education has been available for over 25 years, less than three thousand of the estimated half million Kansas boaters have completed the state's boating safety course since 1971.

The bill would "grandfather" any persons who may legally operate a motorboat or sailboat prior to Jan. 1, 1999 (that is, persons 12 years old or older at that time the requirement would go into effect, which is the legal age for boat operation on Kansas public waters). Therefore, the department would always expect to see mostly persons under the age of 16 enrolling in boater safety courses. However, as more persons are required to possess a course certificate, the department would also expect to make greater use of the correspondence courses in order to address the greater numbers. The department will explore contracting with an

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approved private correspondence course, if necessary.

At this point, the department expects to be able to conduct the necessary boating safety courses without additional FTEs. Because the bill would allow the department to charge a fee to cover costs of material and supplies, the department expects no negative fiscal impact from the bill. However, the department does hope the bill will provide an overall financial benefit to the state due to the decrease in accidents and property damage.

KDWP suggested this legislation as a step to address the trend of escalating boating-related accidents, fatalities, and property damage. Kansas has more than sixty boating-related accidents each year, an average of 8 fatalities, and several hundred thousand dollars of property damage and insurance claims. While SB 236 would not eliminate boating accidents in Kansas, the department believes it could play an important role in making public waters safer for all Kansas boaters.

For those familiar with the hunter safety education program, SB 236 may be seen as an analogous proposal. Since the Kansas Legislature established that requirement in 1972, over 350,000 people have taken hunter safety education courses, the vast majority of whom were under the age of 16. Hunter safety education is credited with decreasing hunting accident rates nationwide, and in Kansas the rate of hunting fatalities has dropped from between four and five per year in the 1960s and 1970s to less than one per year over the last five years. While a direct causation is impossible to prove, the department hopes that by creating a similar boating safety education program now, in future years we would see results similar to the positive impact of the hunter safety education program.

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Attachment 2

1 therefor shall be paid to the highway patrol.

2 [(e) There is hereby created the vehicle identification number  
3 fee fund. The Kansas highway patrol shall remit all moneys received  
4 by the Kansas highway patrol from fees collected under subsection  
5 (d) to the state treasurer at least monthly. Upon receipt of each such  
6 remittance, the state treasurer shall deposit the entire amount in  
7 the state treasury to the credit of the vehicle identification number  
8 fee fund. All expenditures from the vehicle identification number  
9 fee fund shall be made in accordance with appropriations acts upon  
10 warrants of the director of accounts and reports issued pursuant to  
11 vouchers approved by the superintendent of the Kansas highway  
12 patrol or by a person or persons designated by the superintendent.

13 [(f) An employee of a new vehicle dealer ~~may provide the checks un-~~  
14 ~~der subsection (b) on motor vehicles repurchased or reacquired by a man-~~  
15 ~~ufacturer, distributor or a financing subsidiary of such manufacturer and~~  
16 ~~which are purchased by the new vehicle dealer.]~~

17 Sec. 2 [3]. K.S.A. 1997 Supp. 8-135 is hereby amended to read as  
18 follows: 8-135. (a) Upon the transfer of ownership of any vehicle regis-  
19 tered under this act, the registration of the vehicle and the right to use  
20 any license plate thereon shall expire and thereafter there shall be no  
21 transfer of any registration, and the license plate shall be removed by the  
22 owner thereof. It shall be unlawful for any person, other than the person  
23 to whom the license plate was originally issued, to have possession  
24 thereof. When the ownership of a registered vehicle is transferred, the  
25 original owner of the license plate may register another vehicle under the  
26 same number, upon application and payment of a fee of \$1.50, if such  
27 other vehicle does not require a higher license fee. If a higher license fee  
28 is required, then the transfer may be made upon the payment of the  
29 transfer fee of \$1.50 and the difference between the fee originally paid  
30 and that due for the new vehicle.

31 (b) Subject to the provisions of subsection (a) of K.S.A. 8-198, and  
32 amendments thereto, upon the transfer or sale of any vehicle by any  
33 person or dealer, or upon any transfer in accordance with K.S.A. 1997  
34 Supp. 59-3511, and amendments thereto, the new owner thereof, within  
35 30 days, inclusive of weekends and holidays, from date of such transfer  
36 shall make application to the division for registration or reregistration of  
37 the vehicle, but no person shall operate the vehicle on any highway in  
38 this state during the thirty-day period without having applied for and  
39 obtained temporary registration from the county treasurer or from a  
40 dealer. After the expiration of the thirty-day period, it shall be unlawful  
41 for the owner or any other person to operate such vehicle upon the high-  
42 ways of this state unless the vehicle has been registered as provided in  
43 this act. For failure to make application for registration as provided in

, who has received training from the highway patrol in accordance with rules and regulations adopted by the superintendent of the highway patrol,