

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 February 9, 1998 in Room 254-E of the Capitol.

All members were present except:

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

Conferees appearing before the committee: Ron Myers, Individual
Jan Michel, Individual
John Federico, AAA

Others attending: See attached list

SB-417: Concerning drivers licenses - certain restrictions.

Members were provided with a copy of NCSL Legisbrief dealing with graduated licensing for teens (Attachment 1). Because of the large number of teenage deaths on our highways, the Chairman urged that some action be taken in this matter. Members received material in support from Charlene Porter (Attachment 2) and in opposition from Tim Sloan (Attachment 3). The committee continued hearing SB-417, with the first conferee Ron Myers, Shawnee, Kansas speaking in opposition to the bill. In his opinion parents need to be responsible for their own children. He saw problems with enforcement, especially in urban areas. Felt this bill punishes the majority of "good kids" for the behavior of the minority. Urged more training and education, especially through the schools. He provided written material for the committee (Attachment 4).

Jan Michel, Topeka, Kansas, also spoke in opposition to the bill. She has two teenagers who have both been through a private driving school and described their driving experience and training (Attachment 5).

John Federico, AAA, addressed the need for this bill, advising they have listened to "everyone" on the bill and are trying to accommodate as many as possible. They agreed to leave the age at 16, requiring a student while they still have a learners permit, to obtain an additional 40 hours (10 at night) of supervised experience, with the supervisor being at least 21 years of age. They removed the restriction from farm permits re driving between midnight and 5:00 a.m., but will keep that requirement for non-farm instructional permits. Receipt of two moving violations and the license will remain restricted until age 17. They agreed to grandfather in those who are already in the system at the time the bill goes into law. What is now proposed is the absolute minimum which they can support. They feel anything less will just not do enough to matter.

Discussed what all these revisions "really mean." Staff Revisor, Bruce Kinzie, explained present law and proposed changes. He advised there is now no such thing as a "learner's" farm permit. Under current law there is no way farm permit drivers could legally acquire the required hours of experience. Current law says adult age is 18 for supervising those on restricted license, this bill would raise it to 21. Anyone who waits until age 16 can walk in, pass the test, and obtain a full license without meeting any of these requirements. This is current law and will not change with SB-417.

Farm Bureau representative advised they would not object to these amendments, except for the required supervised driving hours. They support only 20 hours or less. They do not like the bill, but would accept it.

Senator Tyson recommended leaving SB-417 the way it is except: reduce required hours to 30, two moving violations, and provide for the more generous grandfather clause. He would also take out any reference to the time frame - midnight to five a.m.; eliminate 21 year old supervisor requirement - put back "adult" and leave current law to apply to farm permits.

Senator Vidricksen moved to support the 40 hour segment of the bill. Senator Gilstrap seconded the motion.

CONTINUATION SHEET

MINUTES OF THE COMMITTEE ON TRANSPORTATION AND TOURISM, Room 254-E,
Statehouse, at 9:05 a.m. on February 9, 1998.

Motion failed. It was suggested that perhaps consideration should be given to the total package of changes

proposed today. Senator Jordan moved to favorably recommend accepting the AAA proposed balloon.
Senator Gilstrap seconded the motion. Motion failed. Senator Tyson moved for acceptance of his proposal.
Senator Jordan seconded the motion. Motion failed. Members did not object to the two violations
requirement nor were there total objections to leaving the supervising age at 21, but the other items were
unresolved. Members did not wish to refer the bill to a sub-committee they preferred to return to full
committee debate. SB-417 will be scheduled for further consideration and possible action.

Approval of minutes.

Senator Jordan moved to approve the minutes of January 22, 1998. Senator Huelskamp seconded the motion.
Motion carried.

The meeting adjourned at 10:15 a.m.

The next meeting is scheduled for February 10, 1998.

GRADUATED LICENSING FOR TEENS

By Janet B. Goehring

The leading cause of death for 15- to 20-year-olds is traffic crashes.

The leading cause of death for 15- to 20-year-olds is traffic crashes; 6,319 died in 1996. Driver error accounts for a majority of fatal crashes for 16-year-olds. They are overrepresented in incidents involving speed, single vehicles and driver inattention.

Part of the problem is that young drivers lack experience to react safely to traffic situations. Drivers in this age group also commonly engage in more risky behavior, exposing themselves to dangerous situations on the road. Teens are twice as likely to have passengers in the car, and they wear seat belts less than half the time. The number of teenage drivers will increase during the next several years, promising even more concern about their inexperience on the road. These grim statistics have led states to examine how to address the problem.

Graduated licensing requires young drivers to demonstrate responsible driving behavior through three phases of licensing.

One solution that has gained approval in 26 states is "graduated drivers' licensing." This approach allows young drivers to acquire more on-the-road driving experience in lower risk settings, increases their learning time and gradually introduces young drivers to more difficult driving situations. Graduated licensing requires young drivers to demonstrate responsible driving through three phases of licensing—learner's permit, intermediate or provisional license and full license. During the permit stage, which might occur at age 15 or 16 and last six months, in order to move to the next level young drivers must:

- Meet minimum age requirements,
- Pass vision and "rules of the road" tests,
- Be supervised by an adult while driving,
- Pass a drivers' education course,
- Remain free of traffic convictions.

For the provisional or intermediate license, teens are required to:

- Complete level one,
- Pass a driving test,
- Remain ticket-free.

Other restrictions also might apply, such as more supervised driving, second level drivers' education, a requirement to wear seat belts, zero tolerance for alcohol, restrictions on late-night driving or on carrying other teens in the car. Full licensing occurs after the successful completion of the first two stages.

State Action

California, Georgia, Hawaii, Illinois, Louisiana, Ohio, Nevada, New Hampshire, North Carolina, South Dakota and South Carolina enacted some or all of the components of graduated licensing in 1997. For example, the California law sets out a very comprehensive licensing process. Teens aged 15 1/2 years

States With Some Form of Graduated Licensing

California
 Colorado
 Connecticut
 Florida
 Georgia
 Hawaii
 Idaho
 Illinois
 Kentucky
 Louisiana
 Maryland
 Massachusetts
 Michigan
 Nevada
 New Hampshire
 New Jersey
 New York
 North Carolina
 Ohio
 Oregon
 Pennsylvania
 South Carolina
 South Dakota
 Vermont
 West Virginia
 Wisconsin

Source: National Highway Traffic Safety Administration

may apply for an instructional permit after successfully completing a driver's education course and training. The law requires an instructional permit for six months including 50 hours of supervised driving practice, 10 of those at night. For the first six months of the provisional license, drivers are prohibited from transporting passengers under 20 years of age unless accompanied by a parent or an adult over 25. A family exemption allows teens, unaccompanied by an adult, to drive immediate family members under age 20 during the first six months at any time of the day or night as long as the teen has a letter authorizing it from his parent. The first year of the provisional license includes a nighttime driving restriction from the hours of 12 a.m. to 5 a.m. Employment, school activities and medical necessity are exceptions to the restriction. A six-month suspension of the license and a one-year probation are imposed when a driver accrues three or more traffic violation points in a 12-month period.

Senator Tim Leslie, sponsor of the bill, says that "with one teen dying on average every other day in California, the carnage is just too great." Teenagers constitute 4 percent of the total licensed drivers in California, but are involved in 9 percent of the fatalities and 10 percent of the injuries in car crashes. Leslie wanted to reduce the overrepresentation of teens in these statistics. He included the restriction for carrying young passengers because novice drivers need to focus on the task at hand and not on their friends in the car.

The legislation met with little opposition, although some objected because the law appeared to punish teens. Others felt it constituted an unwarranted intrusion into family decision making. Members of safety groups, law enforcement, the medical profession and parents supported it.

Several states have conducted studies about the effectiveness of graduated drivers' licensing. A study in Maryland found that with graduated licensing, crashes decreased 5 percent and traffic convictions declined 10 percent for 16- to 17-year-olds. Oregon reported a 16 percent reduction in crashes for male drivers in the same age group.

Attendance in school has also become a component of graduated licensing in some states and reflects a growing trend to link driver's licenses with education. More than 20 states require school attendance in order to obtain a driver's license. States are also enacting provisions to suspend teen licenses for truancy and delinquency. Colorado just passed a bill that revokes a driver's license upon a conviction for painting graffiti.

A study in Maryland found that with graduated licensing, crashes decreased 5 percent and traffic convictions declined 10 percent for 16- to 17-year-olds.

Selected References

Insurance Institute for Highway Safety World Wide Web Page, <http://www.hwysafety.org>
National Highway Traffic Safety Administration World Wide Web Page,
<http://www.nhtsa.dot.gov>

Contacts for More Information

Jan Goehring, Jim Reed
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Insurance Institute for Highway Safety
(703) 247-1500

American Association of Motor
Vehicle Administrators
(703) 522-4200

National Highway Traffic Safety
Administration
(202) 366-6948

January 9, 1998

Senator Ben E. Vidricksen
Kansas State Capital
Topeka, KS 66612

Dear Senator Vidricksen:

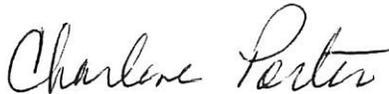
I was pleased to see the article in the Kansas City Star saying that you would be introducing a bill on teen-age drivers to the Kansas Legislature.

I feel very strongly that teen-agers need more hours of supervised driving. I heard the example given that you wouldn't ask a person to take 30 hours of classes and six hours of instruction on tennis and then go up against the best tennis player (any example could be used). That is exactly what we are asking our students to do, with very little experience compete on the highways against the very best of experienced drivers. Plus teen-agers think they are infallible.

Also I feel that when young students get so interested in getting a car, they have to work to support it and then their grades and school activities suffer. Teen-agers have enough time to work as they grow older. Let them be kids while they are still 15 and 16.

I do hope that some of our laws are changed regarding young drivers. Thanks for being interested in the safety of our youth.

Sincerely,



Charlene Porter
14019 Mitchel Court
Basehor, KS 66007

cc: Senator Mark Gillstrap
Representative Kenny Wilk

*Senate Transportation + Tourism
2-9-98
Attachment # 2* *2-1*



FEB 2 1998

SLOAN & MEIER
SURVEYORS

January 29, 1998

Senator Vidricksen
State Capitol Building - 143-N
Topeka, KS 66612-1504

Dear Senator Vidricksen:

I am writing in regards to Senate Bill No. 417. The changes you are proposing to this bill have me very concerned.

I am the owner of a small business. I live in a small rural town and am the father of five children. As a business owner, I am concerned by the fact that we try to hire young adults for temporary summer help. They need an unrestricted drivers license to make them attractive to us as employees.

My oldest son, Travis, is a senior at Kansas State University. He had his first permit (a restricted license) at fourteen years of age. He was active in sports, school activities, and held a part-time job through High School. He took his driving privileges seriously and acted with responsibility. I know many other young adults just like my son. They are the rule, not the exception.

In today's society where both parents must work to meet the economic demands of raising a family, your proposed changes would create a hardship on the parents and children.

We need to enforce the laws we have. We don't need more restrictive ones. Thank you for your time.

Sincerely,



Tim Sloan
Sloan & Meier Surveyors

cc: Lana Oleen
TRS/dmd

*Senate Transp. + Tourism
2-9-98
Attachment # 3*

Contacted Mr. Rusty Newman, who is the Shawnee Mission School Director for Drivers Education and Sex Education. There are 5 high schools in the district. One of the largest district's in Kansas.

Students have to be legal age to take Drivers Ed. Currently that is 16 years old.

Drivers Ed is as follows:

- 71 hrs of classroom studies
- 8 hrs on driving simulator
- 4 hrs actual driving
- 4 hrs observation from back seat of drivers ed car *

* Starting school year 98/99 student driving requirement will be based of performance. If a student shows proficiency in one hour then the student will have completed his required driving requirement.

We have a dichotomy on this issue. AAA wants to increase driving time and the school system is reducing the required driving time.

I talked to a lady who's son is a high school senior and will be going off to college in the fall. The son is only 16 years old. I would hate to think that he won't be legal age to drive until he is about ready to go to college.

This is a bad bill and should be voted down. If passed it will hurt the rural areas where local law enforcement knows the age of students. This is ~~an~~ unenforceable in urban areas. This is the opposite of what the bill is intended to do.

Ron Myers

*Senate Transp. + Tourism - 2-9-98
Attachment # 41*

OVERVIEW OF TESTIMONY
JAN MICHEL
SENATE BILL 417

- *Moving statistics for 16 year olds to 17 year olds.
- *Elderly drivers--would rather be in car with my 15 or 16 year old than my 77 year old father.
- *Currently allow children to drive to and from school and work, typically the busiest traffic times.
- *A 17 year old is generally one year away from college. Only having one year unsupervised driving and going off to college and highway driving is absurd.
- *16 year olds driving to a school dance...can they take their date??
- *Allowing exceptions for single teenage moms; they have already proven they are irresponsible or they wouldn't be in that situation.
- *Too many loopholes; sign an affidavit- parents will sign it anyway.
- *Other age groups; if accidents were at 15% or higher would you then legislate to have that age group restricted.
- *It is ultimately the parents responsibility--can't legislate parenting.
- *Education and driving experience with supervision best answer.

*Senate Transp. + Tourism. 2-9-98
Attachment # 5*