

Approved: May 6, 1998
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND TOURISM

The meeting was called to order by Chairman Ben Vidricksen at 6: 05 p.m. on May 2, 1998 in Room 531-N of the Capitol.

All members were present except: Senator Karr

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

Conferees appearing before the committee: Leslie Kaufman, KS Farm Bureau
John Federico, Federico Consulting

Others attending: See attached list

SB 561: Concerning driver's licenses; providing certain restrictions.

This meeting was called in order to inform members of the contents of this bill. The House Committee on Federal and State Affairs replaced the original SB 561 with provisions that are similar but not identical to those in the original SB 417 which dealt with driver's licenses and age restrictions. SB 417 as amended remains in the Senate Transportation and Tourism Committee. SB 516 passed the House and is now in the Senate.

Chairman Vidricksen asked Staff for an explanation of options available. Revisor, Bruce Kinze advised of three options. First, if there is agreement with the bill, simply concur in the amended House version of the bill, and that is the end of it. Second, nonconcur and have a conference committee appointed. Then it would go back to the House and they would appoint a conference committee. Then you would meet on the bill in conference. The third choice is to have it ruled materially changed and it could be sent to the standing committee where you could have amendments, etc. Then it would have to be taken to the floor where it would be subject to amendments, debates, etc. The House would then have the opportunity to decide whether or not they would accept the results.

Members were provided a summary of information on current law and the three changes provided for in the new SB 561 (Attachment 1). The Chair asked for brief comments on the proposed changes from those who had testified on this issue in hearings on SB 417.

Leslie Kaufman, Kansas Farm Bureau advised their position had not changed from earlier testimony. They know there is strong support for strengthening experience and educational requirements. They certainly support strengthening driver's education. Farm Bureau strongly support the suggestion that this issue be placed in an interim committee to look at driver's education programs along with graduated licensing and other related matters. Farm Bureau has extended an invitation to, and it has been accepted, by AAA of Kansas to appear at their July policy/resolution committee meeting, to explore this subject, find some common ground and revisit this issue next year. They also remain comfortable with the Amended SB 417.

John Federico, speaking on behalf of AAA, spoke in support of SB 516. In their opinion it does not go far enough but it is better than nothing. They favor concurring with what the House has done and looking at what changes can be made during an interim study. This bill is a watered down version of what AAA originally requested. Current license holders will be grandfathered in so will not be affected by proposed changes.

Members looked at current law, proposed changes, SB 417 as it was passed out of this committee and compared it all to SB 516. It was pointed out the required 50 hours of supervised driving experience could be gained over a period of two years. Discussed age of "adult" - age 18, age 20, etc.

Senator Jordan advised he did not perceive SB 516 as a "knee jerk reaction" to the accident in Johnson County. He spoke of his belief in the validity of this bill and urged concurrence with the House. He feels it

CONTINUATION SHEET

MINUTES OF THE COMMITTEE ON TRANSPORTATION AND TOURISM, Room 531-N, Statehouse, at 6:05 p.m. on May 2, 1998.

will alert parents to state law and even though it is late in the session it would still be very worthwhile to pass SB 516. Several other members felt this issue has already been heard, and discussed. This committee passed out a version for which there was not enough support to pass it out of the Senate. They have already heard that current law is not being enforced. If this bill is passed and there is no enforcement it will not solve the problem. There was support for taking a look at the entire subject in an interim study.

Senator Jordan moved to recommend concurrence. Senator Goodwin seconded the motion. Senator Tyson proposed a substitute motion to recommend asking the Senate President to consider SB 516 as materially changed and to send it to a standing committee for further study. Senator Huelskamp seconded the motion. This bill is now in Fed and State so it is an exempt bill. Motion failed. The Committee returned to Senator Jordan's motion. Motion failed. Senator Harrington moved to recommend sending this bill to a conference committee. Senator Gilstrap seconded the motion. Motion carried.

Interim Study recommendations

The Chair provided members with two drafts dealing with recommendations for Interim Study. Members were requested to review the proposals and return their recommendations to the Chair as soon as possible. These need to be turned in to the Legislative Coordinating Committee as soon as possible.

Meeting adjourned at 7: 15 p.m.

FYI - May 3, 1998 - on motion of Senator Vidricksen the Senate non-concurred in the House amendments to SB 516 and requested a conference committee be appointed. Senators Vidricksen, Jordan and Gilstrap were appointed as conferees on the part of the Senate. (Journal of the Senate, May 3, 1998, p. 1729).

Evening Session May 3, 1998 - SCR 1622 requesting the Legislative Coordinating Council to appoint a special committee to study the issue of driving privileges for teenage drivers was adopted by voice vote. (Journal of the Senate May 3, 1998, p. 1766).

TEEN DRIVING REQUIREMENTS

PROPOSED CHANGES SB 561

SB 561 -- does not raise the driving age except in two instances

SB 561 does not change obtaining the farm permit, 14-yr.-old instructional permit, or the 15-yr.-old restricted permit.

SB 561 does propose the following:

- 1) transporting non-family members under 18 years of age becomes a moving violation if the driver has any type of license other than full license
- 2) if a young driver under the age of 16 years receives two moving violations on separate occurrences, he or she continues to drive under his/her restricted license until age 17 yrs.
- 3) to receive the benefits of a full license at the age of 16 a holder of a restricted license or F.P. affidavit signed by a parent or guardian stating that he or she has received 50 hours of adult (18 or over) supervised driving, 10 of which must have been at night

(OVER)

Senate Transportation + Tourism
5-2-98
Attachment #1
Rep. Phyllis Gilmore #27

Phyllis Gilmore

#27

1-1

CURRENT

AGE 14 FARM

* Anytime while going to, from, or in conjunction with any farm job, employment or farm-related work.

ELIGIBILITY

* Lives or works on a farm of 20 acres or more.

* Signed affidavit of parent, guardian or employer, if applicant does not work on farm.

* Complete vision, written and driving test.

* If violation occurs during farm license period, license is revoked and new license will not be issued until age qualification for full license is reached, or one year, whichever is longer.

AGE 14 INSTRUCTIONAL PERMIT

* Applicants may obtain an instruction permit at age 14 or older.

* If under 16, parent or guardian must sign consent form.

* Must complete vision and written tests.

* May drive passenger car at any time if accompanied by an adult who has a valid Class A, B or C license, who has had at least one year of driving experience, and who is in the seat beside the driver.

AGE 15 RESTRICTED

* Must have completed Driver Education to receive.

* Parent or Guardian must sign consent form.

* Must complete vision test.

Driving is restricted to:

* Anytime while going to, from, or in connection with any job or employment or farm related work.

* Days when school is in session, over the most direct and accessible route between the driver's home and the school he/she is enrolled, for the purpose of attendance.

* When accompanied by an adult who has a valid Class A, B, or C license.

* At any time when operating a motorcycle if accompanied by an adult who is the holder of a valid Class M license and who is operating a motorcycle in the general proximity of the licensee who must be at least 15 years of age.

* Holders of a restricted license cannot transport non-family members under 18 years of age.

AGE 16 FULL LICENSE

* Must successfully complete written, vision, and road tests, or combination such as valid Kansas Instruction permit and road test.