

MINUTES OF THE SENATE TRANSPORTATION & TOURISM COMMITTEE.

The meeting was called to order by Chairperson Senator Ben Vidricksen at 9:05 a.m. on February 11, 1999 in Room 254-E of the Capitol.

All members were present except:

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

Conferees appearing before the committee: Pat Hurley, Economic Lifelines  
Mike Johnston, Pres./CEO KTA  
Bernie Koch, Wichita CofC  
Woody Moses, KS Construction Industries  
Mike Crow, KDOT  
John Eichkorn, KS Highway Patrol  
Tom Whitaker, KS Motor Carriers Assn.

Others attending: See attached list

**SB 169: Senator Bill Morris Memorial Highway**

Chairman Vidricksen displayed laminated newspaper items referring to Senator Morris's involvement in the 1989 Comprehensive Highway Program and provided some additional background information.

Pat Hurley, Economic Lifelines, related his personal experiences with Senator Morris as well as a representative for Economic Lifelines in support of the enactment of this law (no written testimony). Other conferees who appeared to acquaint present members with reasons for a memorial highway for Senator Bill Morris were Mike Johnston, President/CEO of the Kansas Turnpike Authority (Attachment 1). Bernie Koch, Wichita Chamber of Commerce, also appeared on his own behalf to support the bill. (Attachment 2). Woody Moses, Kansas Construction Industries, et. al, added material regarding Senator Morris' work adding his reasons for why this would be a fitting memorial (no written testimony). Written testimony in support of **SB 169** was submitted by Mike Hayden, former Governor of Kansas (Attachment 3) and Mr Horace B. Edwards, former Secretary, KDOT, and now President, Edwards & Associates, Inc. (Attachment 4). Senator Goodwin moved **SB 169** favorable for passage and that the bill be placed on the Consent Calendar. Senator Jordan seconded the motion. Motion carried.

**SB 77: Regulating traffic, maximum speed limits for certain vehicles**

All conferees spoke in opposition to **SB 77** Mike Crow, Chief Bureau of Traffic Engineering with the Kansas Department of Transportation (KDOT). He addressed the negative impact on safety issue involved in traffic moving at different speeds. He also addressed the fiscal impact involved in replacing all the traffic signs throughout the state system (Attachment 5). Sergeant John Eichkorn, Kansas Highway Patrol appeared on behalf of Supt. Lonnie McCollum The Patrol's concern also involved the different speeds on the highway which they felt would jeopardize Kansas motorists (Attachment 6). Tom Whitaker, Kansas Motor Carriers Association, advised his association strongly oppose **SB 77** for the same reasons as the two preceding conferees - different speeds increasing highway dangers (Attachment 7). Mr. Whitaker commended the committee for its passage of **SB 169**, adding that Senator Morris was primarily responsible for all the speciality license plates now available. They would have no objection to increasing the fine for speeding so long as it applies to all vehicles, not just trucks.

Discussed that fact that Missouri is going back to same speed for all vehicles on the highway. Considered possibility of increasing the amount of the fine for speeding. The Highway Patrol have observed that penalties set forth are really the primary deciding factor in whether or not people obey the laws. Talked about current penalties. Left lane driving was also discussed as part of this issue. Mr. Whitaker advised that people who observe trucks creating dangerous situations should take their identification information and call the Kansas Motor Carriers Association at 785-267-1641 to report the matter and they will see that

CONTINUATION SHEET

MINUTES OF THE SENATE TRANSPORTATION & TOURISM COMMITTEE, Room 254-E  
Statehouse, at 9:05 a.m. on February 11, 1999.

appropriate actions are taken, or if you have a cell phone contact the highway patrol with mile marker and highway location. Staff requested to check present statutes regarding left lane driving. If in fact it is illegal to continuously drive in left lane it should be emphasized in the driver's examination manual. No action was taken on **SB 77**.

The meeting adjourned at 10:10 a.m.

Chairman Vidricksen reminded members of the Joint Senate and House Transportation meeting today at noon in 313-S.

The next regularly scheduled 9:05 a.m. meeting will be February 16, 1999.

**SENATE TRANSPORTATION & TOURISM COMMITTEE  
GUEST LIST**

**DATE: FEBRUARY 11, 1999**

NAME	REPRESENTING
Tom Whitaker	Ks Motor Carriers Assn.
John Eichkorn	KHP
Mike Crow	KDOT
Linda Voss	KDOT
Bill Watts	KDOT
Mark Engholm	KHP
Jean Barber	TIAR
Mike Kelley	Ks Motor Carrier Assn
Ken Bahr	Economic Lifeline
Walter Lee Smith	KMHA
Don Lindsey	UTU
Regan Johnston	
Erin Johnston	
Mike Johnston	
Bernie Koch	Wichita Chamber
David Hanson	Ks INSUR ASSNS



# KANSAS TURNPIKE AUTHORITY

3939 Southwest Topeka Avenue • Topeka, Kansas 66609

Frank J. Becker, Chairman, Lawrence

Michael L. Johnston, President/CEO, Wichita

February 11, 1999

Sen. Ben Vidricksen  
Vice-Chairman  
Salina

Rep. Gary K. Hayzlett  
Secretary-Treasurer  
Lakin

Mary E. Turkington  
Member  
Topeka

E. Dean Carlson -  
KDOT - Secretary of  
Transportation  
Member - Topeka

William W. Sneed  
General Counsel  
Topeka

Jon Glaser, Controller  
Asst. Secretary-  
Treasurer  
Wichita

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Senator Ben Vidricksen and  
Members of the Transportation Committee  
State House – Room 143N  
Topeka, Kansas 66612

Dear Chairman Ben and Members of the Committee:

Thank you for the opportunity to appear today to make brief remarks concerning SB169. I am pleased to be here to offer my support for the measure that would designate part of K-254 as the Senator Bill Morris Memorial Highway.

As you know Mr. Chairman, I served in the Senate 14 years with Bill and later nearly two years as a fellow board member of the Kansas Turnpike Authority. On a personal level, he was my friend and we shared many wonderful moments for which I have equally rich and wonderful memories. On a professional level, serving on opposite sides of the aisle, I came to deeply respect the candor, and even sometimes his judgment, that characterized his service to the people of Kansas. One such occasion, where Bill showed such good judgment, was in his persistent and unflinching commitment to the Comprehensive Highway Program that passed in 1989 and without which the four-lane improvement to K-254, in place today, would certainly not have been possible. Though most of you have little knowledge and history about how that program actually came about, I can tell you that we would not enjoy the fruits of that major achievement without Bill Morris. Bill was committed to that program and improving K-254. It would indeed be a fitting gesture to Bill and Dorothy and their family to affix his name to that special part of our highway system that he cared so much about.

Finally, as a former Secretary of Transportation, I am keenly aware of the reluctance of the department concerning these matters for reasons that are quite obvious. I continue to support the general rule that would urge caution. But as is the case with most general rules, there are special exceptions for good and just reason. This bill about this Bill is one such

SN. TRANSPORTATION & TOURISM COMM.

February 11, 1999

ATTACHMENT #1

MICHAEL L. JOHNSTON  
President/CEO

1-1

**Testimony on Senate Bill 169  
Senate Transportation and Tourism Committee  
February 11, 1999**

**By  
Bernie Koch  
Wichita Area Chamber of Commerce**

Mr. Chairman, members of the committee, I'm Bernie Koch with The Wichita Area Chamber of Commerce. I'm speaking today on behalf of myself, not of the Wichita Chamber. However, I believe the members of The Chamber would agree with me in supporting Senate Bill 169.

Bill Morris was my State Senator. I worked with him for many years while I was a reporter, and then as a lobbyist for the Wichita Area Chamber of Commerce. He was responsible for many transportation innovations in his tenure as chairman of the Senate Transportation Committee. He was the primary sponsor of measures such as the right turn on red, and was one of the originators of the concept of "system enhancements" in the 1989 comprehensive highway program.

When Bill retired from the legislature, the Streets & Highways Committee of The Wichita Area Chamber held a special meeting to thank him for his service to South Central Kansas.

It was his dream to make Highway 254 a four-lane roadway. Now that that goal is about to be achieved, I can't think of a more appropriate name to go on that highway than Senator Bill Morris. I only wish he could have been with us long enough to enjoy driving on the new road.

Thank you for the opportunity to appear before you today in support of this measure.



February 10, 1999

Senator Ben Vidrickson  
Senate Committee on Transportation and Tourism  
Kansas State Senate  
fax number : (785) 368-7119

**Re: Senate Bill Number 169 - The Senator Bill Morris Memorial Highway**

Dear Senator Vidrickson:

I am writing you this letter to add my whole hearted support to Senate Bill 169, which would establish The Senator Bill Morris Memorial Highway. As you know, Senator Morris played an integral role in the passage of major highway legislation when I was governor, and I think this honor is overdue and well deserved.

Senator Morris did not live to see Highway 254 completed to a four lane, but his determination lead to its completion and this bill is a small way to acknowledge his efforts. I have spoken with his widow, Dorothy, and she is most grateful that this bill has been introduced and looks forward to the dedication ceremony.

Sincerely,

Mike Hayden  
Former Governor of Kansas

SN. TRANSPORTATION & TOURISM COMM.  
February 11, 1999  
ATTACHMENT #3

**AMERICAN SPORTFISHING ASSOCIATION**

1033 NORTH FAIRFAX STREET, SUITE 200, ALEXANDRIA, VA 22314 • 703-519-9691 • FAX: 703-519-1872



**EDWARDS & ASSOCIATES, INC.**

*Engineering Planning Public Affairs*

To: Chairman, Committee on Transportation and Tourism

Re: Senate Bill No. 169, by and before the Committee on Transportation and Tourism  
An ACT designating a part of highway K-254 as the Senator Bill Morris Memorial Highway.

Senator Bill Morris was a multi-faceted, relentlessly dedicated Kansas hero. Included among his passions were his action-oriented desire for improved transportation, especially safer, more convenient highways for the people who live in and work in and visit and transact business within the state.

Kansas and especially members of the legislature do themselves great honor by honoring Senator Morris along one of his favorite roads, K-254.

My only regret is that the press of business outside the state prevents my delivering this testimony personally.

Horace B. Edwards

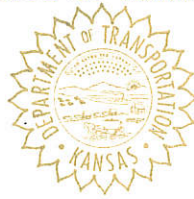
President, Edwards & Associates, Inc.

SN. TRANSPORTATION & TOURISM COMM.

February 11, 1999

ATTACHMENT #4

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**KANSAS DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY OF TRANSPORTATION**

E. Dean Carlson  
SECRETARY OF TRANSPORTATION

**Docking State Office Building  
915 SW Harrison Street, Rm. 730  
Topeka, Kansas 66612-1568  
Ph. (785) 296-3461 FAX (785) 296-1095  
TTY (785) 296-3585**

Bill Graves  
GOVERNOR

**TESTIMONY BEFORE THE  
SENATE COMMITTEE ON TRANSPORTATION**

**REGARDING SENATE BILL 77  
REGULATING TRAFFIC, MAXIMUM SPEED LIMITS FOR CERTAIN  
VEHICLES**

**February 11, 1999**

Mr. Chairman and Members of the Committee:

I am Mike Crow, Chief of the Bureau of Traffic Engineering with the Kansas Department of Transportation. I am here to provide testimony to the committee regarding Senate Bill 77. This bill would require that the maximum speed limit for trucks over 26,001 pounds be decreased from 70 mph to 65 mph on all roadways which are posted at 70 mph.

One of the basic principles of traffic engineering is to keep traffic moving at the same speed. It has been proven that there are fewer accidents under these conditions. When traffic is moving at various speeds, drivers make irrational moves to pass slower moving vehicles causing side swipes, head-on crashes, or run-off-the-road crashes. In addition, faster drivers approach slower drivers at the higher speed causing rear-end crashes or erratic moves to other lanes or off the roadway.

When speed studies are conducted, radar is used to determine the speed the traveling public is operating on a specific section of roadway. Speed limits are then set at the 85th percentile, which is the speed at or below which 85 percent of the free-flowing vehicles travel. In addition, KDOT uses the 10 mph pace of vehicles, which is the 10 mph range that the greatest percentage of vehicles are traveling. Utilizing these two tools to establish speed limits has proven to produce the safest speed for that particular section of roadway. This methodology is nationally accepted and is used by all 50 states in setting speed limits. Of course we look at other criteria such as geometrics, accident data, and traffic volume. However, as mentioned before, keeping vehicles traveling at the same speed is our main objective.



For these reasons, we are opposed to artificially setting varying speeds on any of Kansas' roadways. KDOT believes this goes against basic traffic engineering principles; and most importantly, we believe that it would decrease the safety on Kansas' roadways.

Furthermore, KDOT would have to replace every sign on the 70 mph roadways to incorporate the reduced truck speed limit. The present signs have the legends for the 70 mph and the 40 mph minimum speed limit. We would have to increase the size of the sign to 4'x 11' (present size 4' x 8') on interstates and 3' x 6' on expressways (present size 3' x 4') to incorporate the legend for the 65 mph truck speed limit and replace all the posts to hold the larger signs. This would cost \$1508.88 per sign on interstate and \$433.92 per sign on freeways. Total cost is estimated to be \$295,108.

Again, I would like to reiterate this cost is significant, but we feel that safety is of the utmost importance; therefore, KDOT opposes this bill.

Thank you for this opportunity to express our concern with Senate Bill 77.

**Kansas Highway Patrol  
Summary of Testimony  
1999 Senate Bill 77  
Before the  
Senate Transportation and Tourism Committee  
Presented by  
Sergeant John A. Eichkorn  
February 11, 1999**

Good morning Mr. Chairman and members of the committee. My name is John Eichkorn and I appear before you on behalf of Patrol Superintendent, Lonnie McCollum, to comment on Senate Bill 77.

The mission of the Patrol is to enforce traffic and state laws relating to vehicles, highways and drivers to enhance safety of citizens traveling our states roadways. As a result, we are concerned about issues which may jeopardize Kansas motorists and feel safety must be foremost when establishing speed limits. With this in mind we offer the following comments regarding Senate Bill 77.

Senate Bill 77 proposes a change in legislation that was enacted in 1996 through House Bill 2602 which designated maximum speed limits for Kansas's roadways. In that legislation the speed limit on separated multi-lane highways was set at 70 miles per hour for all vehicles. If placed into law, Senate Bill 77 would make an exception to the 70 mile per hour limit on these highways by restricting vehicles with a gross vehicle weight rating of 26,001 or more pounds to a speed of 65 miles per hour.

During the 1996 debate over House Bill 2602, the Patrol testified in front of the House Transportation Committee. In that testimony, we expressed concern regarding a similar provision within the bill, which would have set a lower speed limit for trucks than for cars. The Patrol felt and continues to believe that diverse speeds would create potentially hazardous situations when drivers of cars, attempting to maintain a higher legal limit, encounter trucks traveling at a lower speed.

Most of us can identify with the increase in stress associated with passing a 70 foot long, 40-ton semi-truck. And if you have traveled the Turnpike lately, you may have encountered a triple trailer semi-truck, which can reach lengths of 105 to 110 feet. By mandating a lower speed limit for trucks, we are only increasing the number of times that cars will have to face this potentially dangerous situation.

In light of the potential disruption in traffic flow that Senate Bill 77 could create, we must also look to our neighboring State of Missouri. In 1996, the Missouri Legislature enacted a similar provision within their maximum speed limit law. Since that time, Missouri lawmakers have amended the law back to moving cars and trucks at the same speed. It was Missouri's experience that trucks moving slower than cars created the same problems that the Kansas Highway Patrol is now anticipating with proposed changes in Senate Bill 77.

As a traffic safety agency, we feel it is our duty to bring this issue to the attention of the committee and would urge you to consider our comments as you deliberate Senate Bill 77.

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# STATEMENT

BY KANSAS MOTOR CARRIERS ASSOCIATION

P.O. Box 1673 ■ Topeka, Kansas 66601

Telephone: 785-267-1641 ■ FAX: 785-266-6551 ■ www.kmca.org

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## Opposing Senate Bill No. 77

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Appearing before the Senate Transportation & Tourism Committee

Senator Ben Vidricksen, Chairman

Thursday, February 11, 1999

State Capitol, Topeka, Kansas

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MR. CHAIRMAN AND MEMBERS OF THE  
SENATE TRANSPORTATION & TOURISM COMMITTEE:

My name is Tom Whitaker, director of governmental relations and membership services for the Kansas Motor Carriers Association. I appear this morning representing our 1,400 member firms and the Kansas trucking industry.

We are here today to **strongly oppose** Senate Bill No. 77. The bill would create a speed differential between trucks and cars on four-lane divided highways. Vehicles traveling at different speeds cause many highway dangers including more rear-end accidents.

A study titled, "*An Operational Evaluation of Truck Speeds on Interstate Highways*," by the Department of Civil Engineering of the University of Maryland, reported, "In general, truck accident rates were also lower with higher values of combined speed parameters (vehicles traveling at a closer speed). This was especially true of the truck rear-end accident rate, which intuitively would be a primary mode of collision with an enforced differential limit."

In addition to possible increased rear-end accident, trucks would be restricted to the right-hand lane of travel due to the lower speed. A study by N.J. Garber for the AAA Foundation for Traffic Safety in Washington, D.C. stated, "The imposition of a differential limit in addition to lane restrictions increased the interaction between cars and trucks and there for the potential for accidents. With regard to reducing this interaction, the best speed strategy was 65/65."

Safety is the highest priority of the KMCA and trucking industry. We have supported the development and implementation of the commercial drivers license; drug and alcohol testing requirements; increased road-side inspections; establishment of safety ratings to allow enforcement personnel to identify those drivers and trucking companies that do not have good safety practices; and, public information campaigns to educate the motoring public on how to share the road with trucks in an effort to reduce truck accidents.

We believe that Senate Bill No. 77 would reverse the gains this industry has made in truck safety. The two studies we have used show the increased danger to the motor public by instituting speed limit differentials.

The Kansas Motor Carriers Association strongly opposes S.B. 77. We thank you for the opportunity to appear. I would be pleased to respond to any questions you may have.



SENATE TRANSPORTATION & TOURISM COMM.  
February 11, 1999  
ATTACHMENT #7  
**MOVES BY TRUCK**

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