

MINUTES OF THE SENATE TRANSPORTATION & TOURISM COMMITTEE.

The meeting was called to order by Chairperson Senator Ben Vidricksen at 9:05 a.m. on January 25, 2000 in Room 245-N of the Capitol.

All members were present except:

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

Conferees appearing before the committee: Michael Byington, Dir. Envision Govt. Affairs Ofc.

Others attending: See attached list

Chairman Vidricksen welcomed everyone to the new committee meeting room; provided a brief overview of present space realignment in the Capitol building and possible future moves. Need to determine how the acoustics will work and whether or not microphones will be needed. He also circulated a view of the Oakland Expressway Interchange to I-70/Kansas Turnpike.

Introduction to bills

Michael Byington, Director Envision Governmental Affairs Office proposed introduction of a Kansas adaptation of national model legislation concerning pedestrian safety (Attachment 1). Senator Harrington moved to introduce the bill. Senator Gilstrap seconded the motion. Motion carried.

Senator Tim Huelskamp requested introduction of a bill regarding junk yard control act. The requested bill does nothing to change compliance with federal requirements. Senator Huelskamp moved to introduce the bill. Senator Tyson seconded the motion. Motion carried.

The following carry over bills were discussed:

SB 21: Disclosure of records of division of vehicles

Senator Jordan recommended SB 21 be not passed. Senator Tyson seconded the motion. Motion carried.

SB 66: Regulation of funeral processions

Senator Jordan recommended SB 66 be not passed. Senator Harrington seconded the motion. Motion carried.

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

Senator Jordan recommended SB 77 be not passed. Senator Salmans seconded the motion. Motion carried

SB 134: Requiring front license plate on certain vehicles

Senator Huelskamp recommended SB 134 be not passed. Senator Harrington seconded the motion. Motion carried

SB 153: Comprehensive Transportation Program (T-2000)

This bill is no longer needed since a transportation bill was passed last year. Senator Jordan recommended SB 153 be not passed. Senator Gilstrap seconded the motion. Motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE TRANSPORTATION & TOURISM COMMITTEE, Room 254-E
Statehouse, at 9:05 a.m. on January 25, 2000.

SB 293: Regarding highways: priority formula for non-interstate roadways

Senator Harrington recommended SB 293 be not passed. Senator Gilstrap seconded the motion. Motion carried.

Approval of minutes

Senator Huelskamp moved to approve the minutes of the January 18, 2000 meeting. Senator Jordan seconded the motion. Motion carried

The meeting adjourned at 9:35 a.m.

The next meeting is scheduled for Wednesday, January 26, 2000.

SENATE TRANSPORTATION & TOURISM COMMITTEE
GUEST LIST

DATE: JANUARY 25, 20000

NAME	REPRESENTING
Edward Moser	
Michael Bajington	Enduron
Tom Whitaker	KS Motor Carrier Assn
Lorlie Kaufman	State Farm
Mark Goodwin	Hein & Hein
Sheila Walker	KDOR - License Div.
Roger Frybe	KDOR " "

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January 25, 2000

TO: Senate Committee on Transportation and Tourism

SUBJECT: Bill Request

Last year the Kansas Legislature adopted "Transportation 2000" the most far reaching comprehensive transportation plan ever adopted by the State of Kansas. The State finally realized that transportation is more than highways, roads, bridges, and streets. For the first time ever, significant attention was given to issues such as airport infrastructure, railroad access, and public transportation. Funding for public transportation and for the accommodation of bicycles was included at greater levels than has previously been the case. An area which received far too little attention, however, was that of pedestrian access and pedestrian safety. According to the United States Department of Transportation, approximately 12% of all fatal traffic accidents involve

SENATE TRANSPORTATION & TOURISM
COMMITTEE -DATE: 1-25-00
ATTACHMENT: 1

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motor vehicles and pedestrians; yet nationally, and in Kansas, we spend about one percent of our highway, road, and street infrastructure dollars on the issue of pedestrian accommodations for the built environment.

Last year I brought you very specific legislation concerning pedestrian safety in transversing the parking lots of malls and shopping centers in order to use public transportation. I was advised to take this issue up with the Cities where the problem exists before seeking State legislation. While I am pursuing this advice with the cities in question, it is certainly the view of many people who are elderly or vision impaired, or who experience both conditions, that pedestrian safety as a whole is not an urban or rural issue; it is an issue which will impact all Kansans, particularly as the population of our State ages.

The attached bill proposal is a Kansas adaptation of national model legislation concerning pedestrian safety. Several national advocacy organizations of the Blind and of persons who are elderly support this type of legislation and are asking that versions be introduced in all 50 States. As the Kansas population ages, and as the highway and street projects included in Transportation 2000 bring our State to a greater level of sophistication with regard to its roads, streets, and highways, Kansas will undoubtedly need to ultimately deal with the issue of pedestrian safety. This proposed Legislation is a work in progress. It will undoubtedly evolve. This draft is intended to serve the purpose of letting the dialogue begin.

AN ACT TO PROVIDE FOR THE SAFETY OF PEDESTRIANS AND NON-MOTOR VEHICLE TRAVELERS

Be it enacted by the Legislature of the State of Kansas that this act shall be known as The Pedestrian Safety Act.

Findings.

As enhancements are implemented in the built motor vehicle road and highway infrastructure, and as the built environment established for the purposes of accommodating the needs of pedestrians deteriorates with use and age, the following conditions are present and likely to worsen 1) the breaking down of the pedestrian sidewalk and street crossing infrastructure, 2) ever more dangerous intersections for especially visually impaired and elderly persons traveling on foot, and 3) increased difficulty for all pedestrians to make their way to their destinations.

Unless governmental assistance is provided, the pedestrian environment will virtually disappear as a realistic entity due to the failure to construct sidewalks and other pathways, the dangerous use of uncontrolled and inaccessible intersections, and the neglect of maintaining the existing pedestrian infrastructure.

It is therefore necessary to review and improve the existing pedestrian infrastructure and to newly construct pedestrian ways and intersections to provide for the safe and efficient travel of pedestrians. This task must be accomplished over a period of years. It must utilize a planned approach that prioritizes areas to be improved. Once the cycle of all state political subdivisions has been completed, then a continuing monitoring, maintenance and expansion function will be necessary.

Section 1. Definitions.

All terms in this Act shall have their plain English meanings unless otherwise defined as follows:

The abbreviation "PSC" shall mean the Pedestrian Safety Commission.

The term "Accessible" refers to the ability to have access to and the use of intersections, sidewalks, signaling devices and other constructions and designs encountered in the exercise of being a pedestrian with or without a disability.

The term "accessible signaling" means: the placement of pedestrian walk signaling devices next to the crosswalks at all corners of an intersection operable from a wheelchair in accordance with the Americans with Disabilities Act Accessibility Guidelines;

1. which devices shall have a low volume locating tone which can be heard six to twelve feet on approaching the device,
2. which devices shall have tactile and large print color contrasted information as to the direction the signaling will ultimately authorize the pedestrian to walk,
3. which device shall allow the user to depress the walk button for longer than three seconds which shall in turn raise the volume of the eventual audible walk signal,
4. which device shall provide a different vibration to those relying upon tactile communication to know when it is safe to walk, and
5. which device shall in association with the corresponding device across the street, alternate the sounds made for the pedestrian crossing to allow the pedestrian to know where the crossing leads.
6. The term "pedestrian" shall mean any person of any age who is traveling in the built environment on foot, or with the assistance of prosthetic equipment used for the purpose of replacing or augmenting the function of ambulating on foot.

Section 2. Pedestrian Safety Commission and authority and duties.

There is established within the department of transportation, a Pedestrian Safety Commission, hereinafter referred to as the PSC, which shall:

A) oversee the proper planning and construction and maintenance of existing and new pedestrian walks and traffic intersections within all the political subdivisions of the state, ensuring compliance with all pedestrian provisions of the Transportation Equity Act for the 21st Century and applicable provisions of the Americans with Disabilities Act.

B) Receive and approve whether in whole or in part or as modified; comprehensive pedestrian safety plans from the political subdivisions of the state, which plans shall be due within one year of a request from the PSC and shall contain at a minimum:

1. a full analysis of the street and road grid of the covered area,
2. a comparative analysis of traffic volume at intersections located near commercial, public transport terminal, school, church and other community areas where pedestrians would likely be crossing if sidewalk and signaling infrastructures were to be improved,
3. an analysis of those intersections where traffic volume or intersection configuration rises to the point where pedestrians cannot cross without walk signaling and other improvements,
4. a mobility analysis of how persons living within the area could reasonably walk or use public transportation to safely and efficiently reach all other parts of the area street and road grid,
5. a cost analysis of what improvements would be needed to equip existing intersections in descending order of priority with accessible signaling, and the installation of sidewalks, including ADA compliant curb cuts, spreading back from prioritized intersections and the cost of overall maintenance of the infrastructure once completed.

C. Receive and expend appropriate sums of federal and state highway funding or revenues collected from fines of traffic violations to assist the political subdivisions in funding allowed plans of improvement and maintenance, and provided further that such political subdivisions shall develop their own plans for addressing maintenance cost subsequent to

completion of each segment of the approved plan.

D. Order the reconfiguration or redesign of intersections where the pedestrian safety is deemed to both be at too high a risk, and there are no safe and efficient alternative routes within a short distance of the unsafe intersection.

Section 3. Composition and human resource support.

A. Within 90 days of the publication of this act in the Statute book, the governor shall appoint a total of nine Kansas citizens to serve as Commissioners on the PSC. Three Commissioners shall be initially appointed to serve terms of three years. Three Commissioners shall be initially appointed to serve terms of two years, and three Commissioners shall be initially appointed to serve terms of one year. Following initial terms, all terms shall be that of three years. Commissioners shall be eligible for reappointment with no restriction of term limits.

Commissioners appointed shall meet the following qualifications and prerequisites for service. 1) a traffic engineer employed for that purpose by a State, county, or municipal unit of government within the State, 2) a representative of an organization or agency which provides community based services to persons who are elderly, 3) a representative of the elderly community having expertise in the pedestrian needs of the elderly population, 4) a person who is blind or who meets the definition of blindness used by the United States Social Security Administration, and who has expertise in the mobility techniques used by blind and severely visually impaired Kansans as well as in accessible intersection design and signage, 5) a representative of pedestrians who use wheelchairs, and who has knowledge of accessible design, the Americans With Disabilities Accessibility Guidelines, and other applicable codes and guidance publications concerning accessible design, 6) a representative of the state Department of transportation who is knowledgeable in the methods of finance for public street, road, and highway projects, and who is knowledgeable concerning the budgeting process of the State of Kansas, 7) a public safety or law enforcement official having expertise in the investigation of pedestrian-vehicle accidents, 8) a representative of parents with school age children expert in the pedestrian needs of

children, and 9) an orientation and mobility specialist who has completed at least a masters degree in orientation and mobility or travel skills of the blind from a university having an accredited program in this field.

B. The Commissioners shall receive no compensation for the exercise of their duties beyond the normal costs of expenses for travel as are reimbursed to State employees.

C. The Commission shall elect its own Chair to serve on a yearly basis and shall promulgate its own rules of procedure to accomplish its mission.

D. The Secretary of Transportation, with the approval of the PSC, shall appoint an Executive Director who shall be empowered to employ sufficient staff to support and accomplish the mission of the PSC.