

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 1, 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: Tom Whitaker, KS Motor Carriers Assn.  
Senator Nancey Harrington  
Leslie Kaufman, Farm Bureau  
Bob Fidler, AAA

Others attending: See attached list

**Introduction of bill**

Tom Whitaker, Kansas Motor Carriers Association requested introduction of a bill which would allow truck dealers to issue a "demonstration permit". Senator Goodwin moved to introduce the bill. Senator Gilstrap seconded the motion. Motion carried.

**SB 369: Re restricted drivers' licenses; concerning school-sponsored activities**

Staff Revisor Kinzie briefed members on what the bill would do. This would change legislation passed last year regarding restrictions on teen drivers' licenses.

Senator Harrington explained the intent is to allow students with restricted licenses to drive to school sponsored activities outside the normal school class hours (Attachment 1).

Leslie J. Kaufman, Assistant Director Public Policy Division, Kansas Farm Bureau advised that Farm Bureau is committed to preserving the current age structure for teen drivers in Kansas and lend their qualified support to the concept of clarifying the statute. However, they urge clarification of the "participation" wording in the bill (Attachment 2).

Bob Fidler, Director, Marketing & Public Affairs, American Automobile Association of Kansas, appeared in opposition to the changes proposed in **SB 369**; specifically, expanding young driver's privileges (Attachment 3)

Following discussion the committee consensus was that the bill requires clarification as to the meaning of "participation" and "location;" i.e. school of enrollment, property leased for school activities, etc. A Subcommittee was appointed to work on clarifying language in the bill. Members appointed were: Senator Harrington, Chair; Senator Huelskamp, Senator Goodwin and Senator Stephens. The Committee was instructed to report back as soon as possible.

**Approval of minutes**

Senator Stephens moved to approved minutes of the January 26 and January 27, 2000 meetings. Senator Tyson seconded the motion. Motion carried.

The meeting adjourned at 9:50 a.m.

The next meeting is scheduled for February 2, 2000.

**SENATE TRANSPORTATION & TOURISM COMMITTEE  
GUEST LIST**

**DATE: FEBRUARY 1, 2000**

NAME	REPRESENTING
Larry Dearden	Scott County Farm Bureau
Brian Orisk	KFB
Kurt Mill	Barton County Farm Bureau
John Glesseige	Barton County Farm Bureau
Kelly D. Miller	BARTON COUNTY FARM BUREAU
Wanda Kinney	Osage County Farm Bureau
Scott Brunner	DOB
Bob Fidler	AAA Kansas
John Federico	AAA
Clyde Parks	Anderson Co. Farm Bureau
Leon Stous	Shawnee Co. Farm Bureau
Richard Stous	" " " "
Ren Flagler	Wabamsee " " "
Peggy Flagler	" " " "
Marian Bradley	Douglas County
Allen Bradley	Douglas County
Judy Martin	Osage County
Jan Karh	Osage County Farm Bureau
Jim Emerson	Bourbon Co. Farm Bureau
Lynnda Foster	Bourbon Co. F.B.
George C. Prutz	Miami Co. F.B.
Leslie Kaufman	Ks Farm Bureau

**SENATE TRANSPORTATION & TOURISM COMMITTEE  
GUEST LIST**

**DATE: FEBRUARY 1, 2000**

NAME	REPRESENTING
Tom Whitaker	Ks Motor Carriers Assn
Dick Bauman	KDOT
Jeff Bottberg	Kansas Peace Officers' Assn
Lauri Markley	Farm Bureau
John R. Markley	Farm Bureau
Dennis Kramer	Farm Bureau
Eva Anschutz	Farm Bureau
Wilbur Anschutz	Farm Bureau
Francis Kelsey	Farm Bureau
Jane Kelsey	Farm Bureau
Bryan Burnett	Farm Bureau
Quane Lantier	Farm Bureau
Jane Halling	Farm Bureau
Spencer Fleiter	Farm Bureau
Craig Johnson	Farm Bureau
Shelia Walker	KDOR - DMV
Jimmy McReynolds	Farm Bureau
Gene Fuesen	Farm Bureau
MARIE ENGHOLM	KHP
Darrel Adams	Ford Co Farm Bureau
Jack Wray	Franklin Co Farm Bureau
Jeff Caster	Franklin Co. Farm Bureau



**NANCEY HARRINGTON**

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TOPEKA

**COMMITTEE ASSIGNMENTS**  
VICE CHAIR: FEDERAL AND STATE AFFAIRS  
MEMBER: JUDICIARY  
TRANSPORTATION AND TOURISM

SENATE CHAMBER  
February 2, 2000

**Testimony before the  
Senate Transportation Committee  
on SB 369**

Mr. Chairman and members of the Committee. Thank you for hearing SB 369 a bill allowing for restricted drivers to drive to school sponsored activities outside the normal school class hours.

The bill would amend K.S.A. 8-237 and 8-296 and repeal existing sections. The current law school attendance means students with restricted drivers licenses are only able to drive for school class time only.

If local law enforcement strictly enforces the current law students with restricted licenses (in some cases have been) could be ticketed for returning after school hours to band or play practice, concerts, sport practices and activities, or games.

I would ask the Committees support in passing SB 369.

Thank you, I'll stand for any question

Senator Nancey Harrington

SENATE TRANSPORTATION & TOURISM  
COMMITTEE -DATE: 2-01-00  
ATTACHMENT: )

1-1



# PUBLIC POLICY STATEMENT

## SENATE TRANSPORTATION & TOURISM COMMITTEE

**RE: SB 369 - allowing restricted drivers to drive to and from school-sponsored activities.**

**Prepared by:  
Leslie J. Kaufman, Assistant Director  
Public Policy Division  
Kansas Farm Bureau**

Chairman Vidricksen and members of the committee, thank you for the opportunity to appear today and comment on SB 369 on behalf of Kansas Farm Bureau members. I am Leslie Kaufman. I serve as the Assistant Director of Public Policy for the farm association.

Teen driving issues are extremely important to our members. They have been items of intense study and discussion for the past three years. As you all are aware, we have appeared before this committee several times during the past two sessions to share our views and concerns with various teen driving proposals. To be quite honest, we did not expect to see a teen driving issue so soon after last session's changes.

Our voting delegates reaffirmed our commitment to preserving the current age structure Kansas now has for teen drivers when they met at the 81st Annual Meeting of Kansas Farm Bureau this past November. We support those on a farm permit being able to drive to and from school. We believe the change to current statute which is requested in SB 369 is a logical attempt to clarify a sometimes confusing area of law -- whether or not teens on a farm permit, or restricted license, can drive to school activities.

As such, we lend our qualified support to the concept of clarifying the statute. We would, however, suggest that further clarification be considered.

We respectfully submit that "participation in school-sponsored activities" still leaves some questions unanswered, in our minds. For example, we assume "participation" in a basketball game would cover the players. And we would consider the pep band, cheerleaders and drill team to be "participating", as well. However, we are unsure whether the student that is simply a spectator at the event would qualify as any kind of a "participant." We encourage you to define "participation" to make it clear this driving allowance goes only to those that are actually active in the school-sponsored event, not merely a spectator or audience member.

While we see this bill as a valid attempt to clarify our current statute, and recognize that this language change would legitimize what is, most likely, a commonly occurring driving practice of teens, we urge the committee to be cautious when choosing language in the bill. We encourage you to not add a new ambiguity to the teen driving provisions in an attempt to clarify existing language. Thank you considering our comments.

TESTIMONY OF BOB FIDLER, AAA KANSAS, BEFORE THE SENATE  
TRANSPORTATION COMMITTEE  
Feb. 1, 2000

Good Morning, Ladies and Gentlemen. My name is Bob Fidler, and I'm the Director of Marketing and Public Affairs for the American Automobile Association of Kansas, also known as AAA Kansas, an organization of nearly 130,000 members in the Sunflower State. As you know, AAA played a key role in last year's legislation that resulted in a tougher requirements for teenagers to obtain driver's licenses in Kansas, sometimes referred to as the Graduated Driver's License, or GDL. That legislation included a requirement that young drivers spend 50 hours driving with their parents or another driver over the age of 21 before getting their permanent, unrestricted class "C" and class "M" licenses. The legislature is to be commended for taking this important step in making better drivers, and ultimately saving lives, in Kansas.

The narrow purpose of my appearance here this morning is to comment on the proposed change in the new law, as embodied in Senate Bill 369. The changes that are proposed focus not on the requirements to obtain an unrestricted license, but rather on what a very vulnerable age group, usually 15-year-olds who hold the restricted driver's license, will be allowed to do with that restricted license. Specifically, the proposed changes will expand the young driver's privileges from driving to school-sponsored activities on any day school-sponsored activities are conducted, instead of just on days when school is in session. And the changes would expand the student's right to drive from simply attending classes, to participating in school-sponsored activities.

SENATE TRANSPORTATION & TOURISM  
COMMITTEE -DATE: 02-01-00  
ATTACHMENT: 3

3-1



It is the latter change, the one that would allow students to drive to attend school-sponsored activities, that AAA finds troublesome. We understand the pressures that are on parents to chauffeur students back and forth for events such as band and athletic practices, athletic contests, and other school-sponsored activities. I have a 19-year-old son. My experiences of during his "learning to drive" years are fresh on my mind, and I understand fully the pressures on busy parents who are anxious for teens to be able to drive themselves to and from school functions. But we as a state cannot lose sight of some important facts. Motor vehicle crashes are the leading cause of death among teenagers. In 1997 teen drivers in Kansas were involved in 28% of all Kansas accidents, and 18% of those involved a fatality. Ladies and Gentleman, we must be very cautious when we expand a law that will put more inexperienced teenage drivers on our streets and highways, regardless of the pressures from parents and teens we may experience. Our primary concern with Senate Bill 369 is focused on the word "participation". What exactly constitutes "participation" in a student activity? Is this limited to, say, the player or member of the pep band or cheerleaders who perform at a home game? Or does it extend to 15-year-olds (and this is important) who are attending as merely spectators but who could be deemed "participants?" It seems to us that the wording of this changed leaves too much room for interpretation, and should be either eliminated, or at the very least be reworked to specify what exactly is meant by the term "participation", in the narrowest terms possible.

A cautionary comment about the work done in the last legislative session. As I mentioned earlier, motor vehicle crashes are the leading cause of death among teenagers. According to a comprehensive December 1999 Reader's Digest Special Report on teenage driving, Kansas is one of 15 states that is listed as having a "limited" GDL (16 states have "Comprehensive" GDL's, the rest no GDL system). As I mentioned in my opening statement, the Kansas Legislature is to be commended for its movement in 1999 in the right direction in the matter of Graduated Licensing. Now is not the time to move away from what has already been done. The law has only been in effect for 7 months. It will take at least a year, maybe two, to begin to judge the effects of the law on motor vehicle crashes among teenagers. AAA urges this committee and the Legislature as a whole to continue to work toward laws that will make our teenagers better drivers, and our streets safer for all drivers. And I would also urge members of the committee to read the excellent article on this subject that coincidentally appears in today's Topeka Capital Journal, in Section B. Thank you very much for your time this morning.

(If you have not seen the Reader's Digest report, I have brought several copies with me.)