

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 2, 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: Rep. Melvin Neufeld
Senator Dwayne Umbarger
Warren Sick, KDOT

Others attending: See Attached List

SB 404: An ACT regulating traffic; concerning certain equipment requirements for motor vehicles

Representative Neufeld briefly outlined the background on the need for this bill (Attachment 1).

Senator Umbarger advised that KDOT had requested the bill to statutorily prohibit the use of studded snow tires from the state's highways. This prohibition was formerly accomplished by Rules and Regulations (Attachment 2).

Warren Sick, Assistant Secretary and State Transportation Engineer of the Kansas Department of Transportation appeared in support of **SB 404**, regarding use of studded traction equipment (tires) upon any vehicle (Attachment 3).

Discussion of the bill elicited the information that this would apply to out-of-state vehicles as well as Kansas vehicles. As the situation now exists, KDOT cannot prohibit the use of studded snow tires, but their use must be approved by KDOT. This piece of legislation is just a general prohibition of this type tire. The passage of **SB 404** would have no fiscal impact.

Senator Harrington moved to recommend SB 404 favorable for passage. Senator Tyson seconded the motion. Motion carried. Senator Umbarger will carry the bill.

The meeting adjourned at 9:50 a.m.

The next meeting is scheduled for Tuesday, February 8, 2000.

**SENATE TRANSPORTATION & TOURISM COMMITTEE
GUEST LIST**

DATE: FEBRUARY 2, 2000

NAME	REPRESENTING
Kelvin Norf Id	Horse
Dwayne Umberger	Senator
Warren L. Suk	K.P.O.T.
Dancy Bogina	KDOT
Bill Parcels	KDOT
DON CACKLER	K.H.P.
Scott Brugner	DOB
Shawn Keriah	MATDA
Katie Nauze	KGE
Tom WHITAKER	KS Motor (GRUICKS Ass'n)
Mike Rees	KDOT
Jeff Bottenberg	Kansas Sheriff's Ass'n

MELVIN J. NEUFELD
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TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

APPROPRIATIONS
CHAIRMAN SRS TRANSITION OVERSIGHT
CHAIRMAN SOCIAL SERVICES SUBCOMMITTEE
CHAIRMAN ADMINISTRATIVE RULES &
REGULATIONS

To: Senate Transportation & Tourism

From: Representative Melvin Neufeld, Vice Chairman Administrative Rules & Regulations
Re: Senate Bill 404

The Joint Committee on Rules & Regulations in reviewing the proposed regulation to prohibit studded tires in Kansas, discovered that the agency did not have statutory authority to prohibit studded tires because they were authorized in KSA - 1999 Sup. 8-1742 (c) (3) & (4).

The Joint Committee introduced the bill before you to remove the authority for studded traction equipment.

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SENATE TRANSPORTATION & TOURISM
COMMITTEE -DATE: 2-02-00
ATTACHMENT: 1

Office of Revisor of Statutes

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Topeka, Kansas 66612-1592
Telephone 785-296-2321 FAX 785-296-6668

MEMORANDUM

To: Senator Dwayne Umbarger

From: Kenneth M. Wilke, Assistant Revisor of Statutes

Date: January 26, 2000

Subject: Senate Bill 404 - Studded Snow Tires

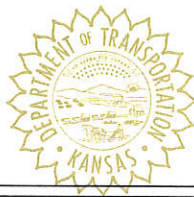
This bill has been introduced at the request of KDOT. At the December, 1999, meeting of the Joint Committee on Administrative Rules and Regulations, KDOT sought to revoke K.A.R. 36-7-1 and 36-7-2 which establish standards for studded snow tires as authorized by K.S.A. 1999 Supp. 8-1742. KDOT testified that these tires were damaging the state's highways and sought to revoke these regulations on that basis.

The Joint Committee on Administrative Rules and Regulations believed that removal of studded snow tires from the state's highways is a policy decision which should be made by the Legislature. Thus this bill removing the statutory authority for these regulations has been introduced.

KDOT has delayed its public hearing on the revocation of these regulations pending the passage of this bill.

SENATE TRANSPORTATION & TOURISM
COMMITTEE -DATE: 2-02-00
ATTACHMENT: 2

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

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Secretary of Transportation

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Bill Graves
Governor

**TESTIMONY BEFORE
SENATE TRANSPORTATION COMMITTEE**

**REGARDING SENATE BILL 404
CONCERNING CERTAIN EQUIPMENT REQUIREMENTS**

February 2, 2000

Mr. Chairman and Committee Members:

I am Warren Sick, Assistant Secretary and State Transportation Engineer of the Kansas Department of Transportation. On behalf of the Department, I am here today to testify in support of Senate Bill 404 regarding the use of studded traction equipment (tires) upon any vehicle.

K.S.A. 8-1742 provides restriction as to studded traction equipment. One of the restrictions is the prohibition against material that projects beyond the surface of the tire. In the statute, an exception was made for studded traction equipment, which involves tires equipped with studs designed to improve traction. The statute further indicates that this equipment should be approved by the Secretary of Transportation by adoption of rules and regulations.

We are requesting that language in Section 1.c.3 and 1.c.4 be removed for the following reasons:

- Studded tires cause damage to roadways and bridges. Damage to Kansas roadways is potentially greater than other parts of the country because of our extensive use of soft limestones in our pavements. A recent Washington State study documents that pavement wear has been measured from 0.2 to 0.5 inches per million studded tire passes on asphalt concrete pavements in California, Washington, and Oregon. Wear is less on portland cement concrete pavement (PCCP), but in general, traffic counts are much higher on PCCP in Kansas.
- A ban on use of studded tires will not be unique. Illinois, Indiana, and Minnesota have banned the use of studded tires. A report on the 1998 scanning tour of European Winter Service Technology indicates that they are banned in France and other southern European countries. The same report recommends that the U. S. Highway agency, "Prohibit the use of studded tires in high-speed and high-volume areas. Where very hard aggregates are available, allow lightweight studs in mountainous or remote areas where low traffic

SENATE TRANSPORTATION & TOURISM
COMMITTEE -DATE: 2-02-00
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volumes do not warrant higher winter service levels; If allowed, permit only 0.9-g lightweight studs...." This report confirms our recommendation to ban studded tires because we do not have the terrain or hard aggregates to justify use of even the new lightweight studs.

- Since this legislation was originally enacted, new tire types have reduced need for studded snow tires. Mud and Snow (M & S) tires are now in routine year-round use. For those who need more traction, a new winter tire is now available from several major manufacturers. As an example, Bridgestone sells the "Blizzak," which in an Alaska study, outperformed regular (but not new lightweight) studded tires in traction performance on packed snow and ice. Conventional tires always perform better on dry pavements.

This bill adopts statutorily the prohibition of studded tires, which is now being exercised by the Secretary through existing rules and regulations. We, therefore, support passage of this bill.