

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 22, 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. Bob Grant
Rep. Doug Gatewood
Barbara Pringle, Exec. Sec'y. Ks. Pupil Transp. Assn.
Chad Luce, Ks. Dept. of Wildlife & Parks

Others attending: See attached list

HB 2582: Re school buses - head lamps

Representative Bob Grant presented background data on need for this bill (Attachment 1). Representative Doug Gatewood discussed the statistical data distributed to committee members (Attachment 2).

Barbara Pringle, Executive Secretary, Kansas State Pupil Transportation Association, expressed appreciation for the concern and support of school bus safety. She added that they have been seeking assistance for several years to address the dangers involved in loading and unloading students. They do feel that **HB 2582** may increase rather than decrease the dangers involved (Attachment 3).

Members questioned and discussed this bill at length. Representative Grant reminded members that the bill does not mandate use of this procedure, but offers it as an option to each school district. No action was taken on the bill. It will be reconsidered following "turn around" time. Conferees will be notified.

SB 536: Boating safety education certificate

The Committee returned to consideration of the boating safety education certificate bill. Chad Luce, Public Information Officer, Kansas Department of Wildlife & Parks distributed his Department's response to questions raised at the February 14th hearing (Attachment 4). Following discussion of these point, Senator Huelskamp moved to strike Section 5 and related technical amendments of SB 536; and make new sections part of Art. 11, Chap. 32. Senator Harrington seconded the motion. Motion carried . Senator Goodwin voted "No."

There was additional discussion of the amended bill. Senator Goodwin moved to recommend SB 536 as amended favorable for passage. Senator Stephens seconded the motion. Motion carried. Senator Vidricksen will carry the bill

The meeting adjourned at 10:05 a.m.

The next meeting is scheduled for Wednesday, February 23, 2000.

ROBERT "BOB" GRANT
REPRESENTATIVE, 2ND DISTRICT
MOST OF CRAWFORD COUNTY
AND PART OF CHEROKEE AND
NEOSHO COUNTIES
407 W. MAGNOLIA
CHEROKEE, KANSAS 66724



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: BUSINESS, COMMERCE AND LABOR
FEDERAL AND STATE AFFAIRS
FINANCIAL INSTITUTIONS
FISCAL OVERSIGHT

FEBRUARY 22, 2000

SENATOR VIDRICKSEN AND COMMITTEE MEMBERS:

IT IS MY PLEASURE TO APPEAR BEFORE THE SENATE TRANSPORTATION
COMMITTEE THIS MORNING IN SUPPORT OF HB 2582.

LAST YEAR IN MY LEGISLATIVE DISTRICT WE HAD A FATALITY
INVOLVING A CHILD BOARDING A SCHOOL BUS. THE DRIVER OF THE CAR THAT
HIT THE CHILD SAID SHE DID NOT SEE THE BUS BECAUSE SHE WAS LOOKING
INTO THE SUN. BY ALLOWING SCHOOL DISTRICTS THE OPTION OF RETRO
FITTING BUSES WITH "WIG-WAG" HEADLIGHTS, THAT ARE NOW ALLOWED ONLY
ON EMERGENCY VEHICLES, WOULD MAKE THE BUSES HOPEFULLY MORE
VISIBLE. INSTALLING THE WIG-WAG HEADLIGHTS THAT ARE AT EYE LEVEL
WOULD ALERT THE ON COMING DRIVERS AND MAKE THEM AWARE OF THE
BUS.

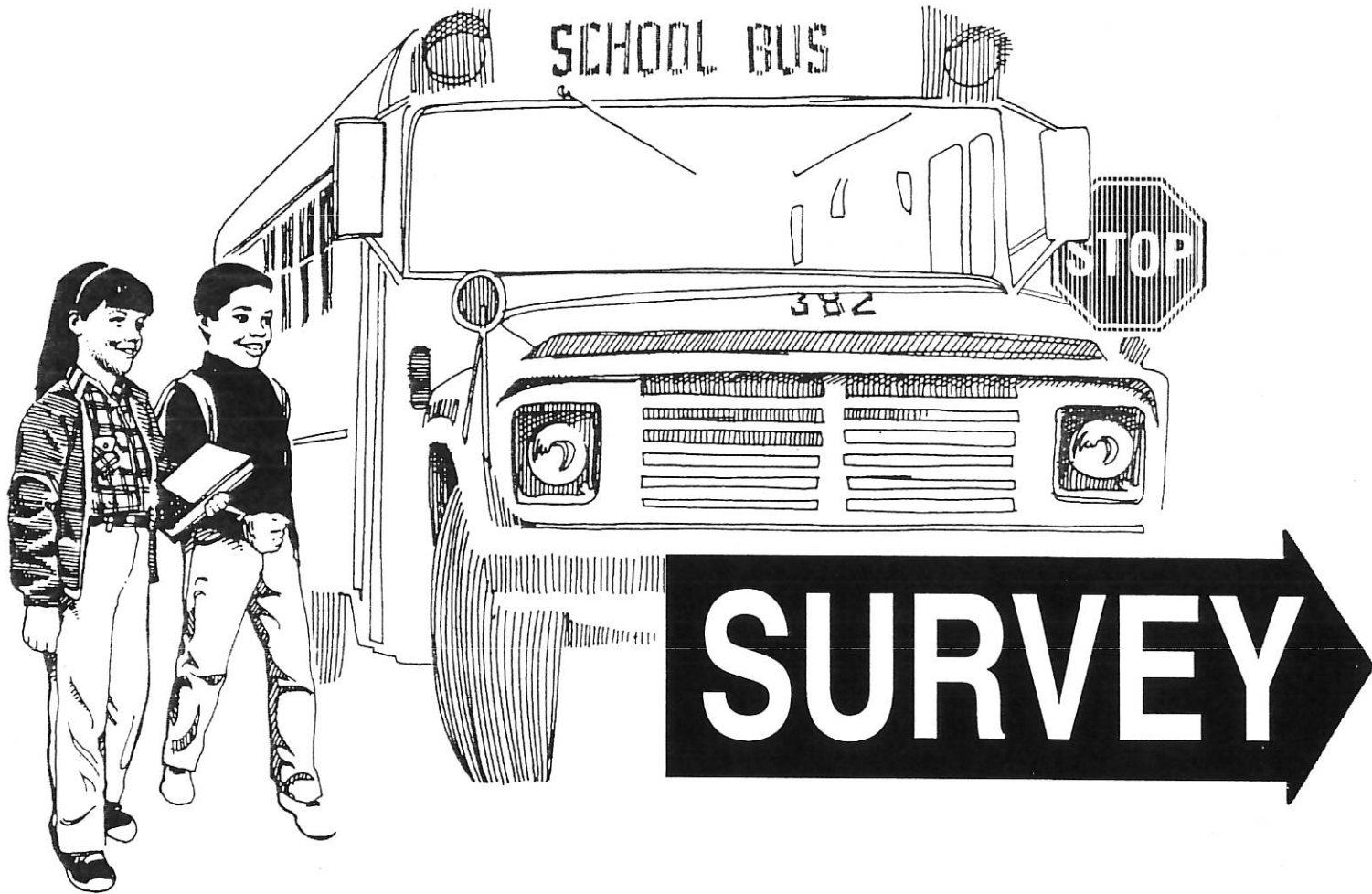
I BELIEVE ANYTHING WE CAN DO TO IMPROVE OR MAKE DRIVERS MORE
AWARE OF BUSES, TO MAKE THE BOARDING OR UNLOADING OF OUR CHILDREN
FROM BUSES SAFER, SHOULD BE DONE. IF IT SAVES ONE CHILDS LIFE THE \$35 TO
\$50 COST IS WELL WORTH IT.

I STAND FOR QUESTIONS.

SENATE TRANSPORTATION & TOURISM
COMMITTEE -DATE: 2-22-00
ATTACHMENT: 1

1-1

KANSAS STATE DEPARTMENT OF EDUCATION
SCHOOL BUS
LOADING & UNLOADING




1998-99 SCHOOL YEAR

SENATE TRANSPORTATION & TOURISM
COMMITTEE -DATE: 2-22-00
ATTACHMENT: 2


2-1

Limited quantities of this document are available from the address provided below. Please feel free to reproduce and utilize the survey data as desired, as it is provided specifically for this purpose.

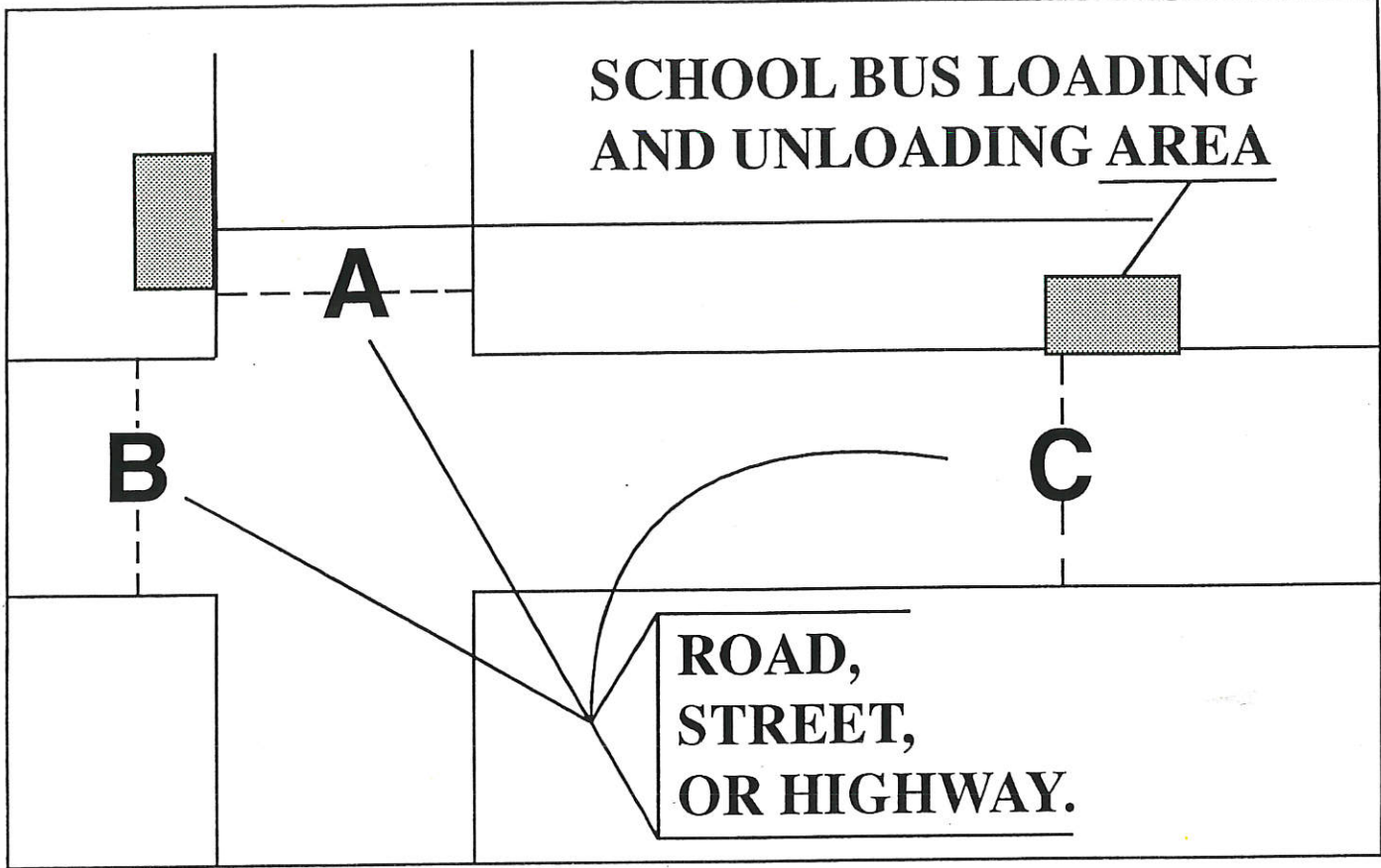
**Kansas State Department of Education
School Bus Safety Education Unit
120 S.E. 10th Avenue
Topeka, Kansas 66612-1182
(785) 296-3551**



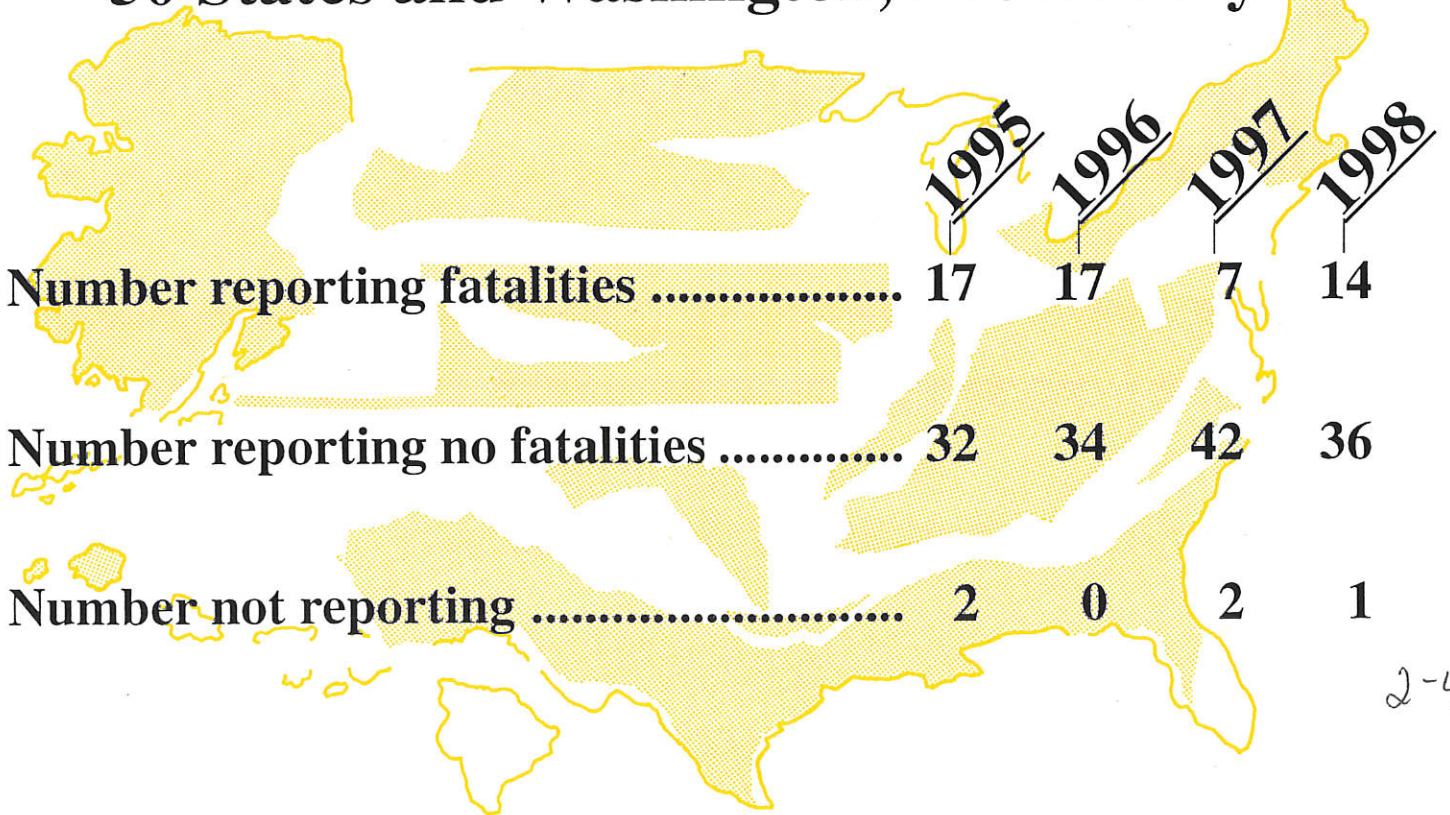
The National School Bus Loading and Unloading Survey is a collection of fatality accident records provided by the state agencies responsible for school transportation safety and/or accident records. Only those fatality accidents involving school children in or around the loading or unloading areas of a school bus or transit bus are included in this survey. On-board fatalities are excluded.



SCHOOL BUS LOADING AND UNLOADING AREA

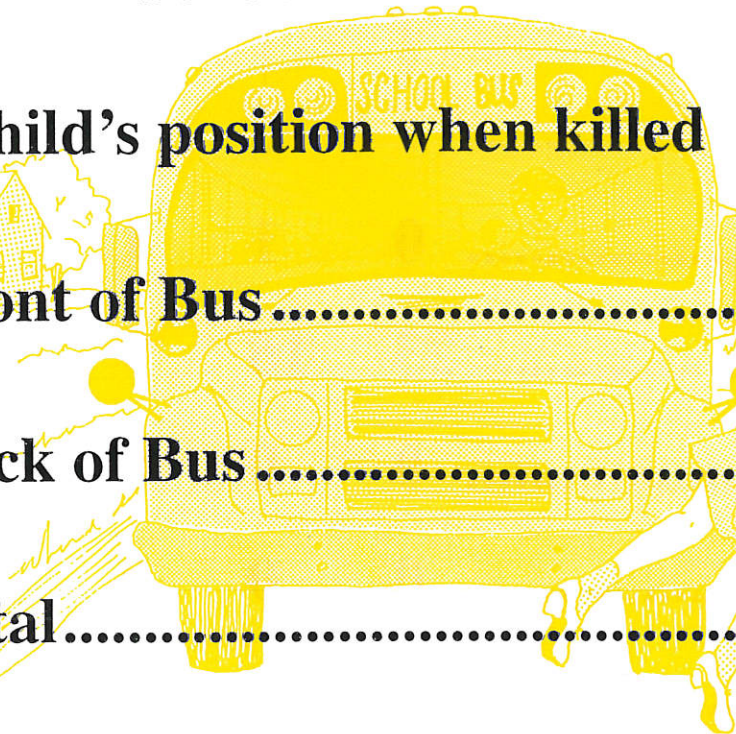


50 States and Washington, D.C. surveyed



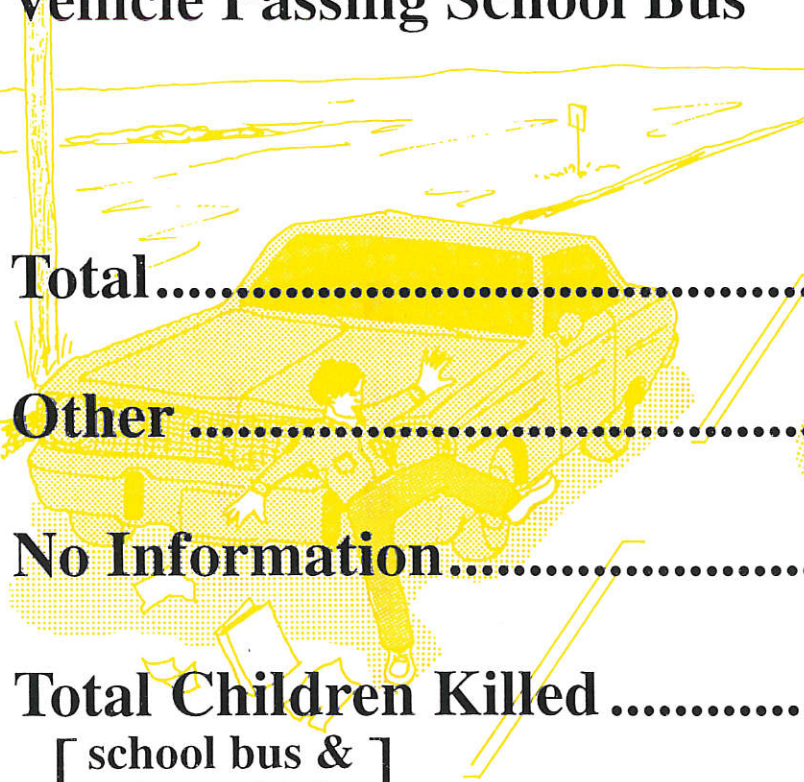
2-4

School Children Killed by School Bus



Child's position when killed	1995	1996	1997	1998
Front of Bus	9	5	2	5
Back of Bus	3	4	3	4
Total	12	9	5	9

School Children Killed by Vehicle Passing School Bus



	1995	1996	1997	1998
Total	10	5	4	7
Other	3	3	1	2
No Information	0	2	0	0
Total Children Killed	25	19	10	18
[school bus & other vehicle]				2-5

Light Condition

	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>
Dawn	1	2	0	2
Dusk	0	1	1	0
Daylight.....	23	16	9	15
Dark	0	0	0	1
Unknown.....	0	0	0	0
Total	25	19	10	18

School Bus Size

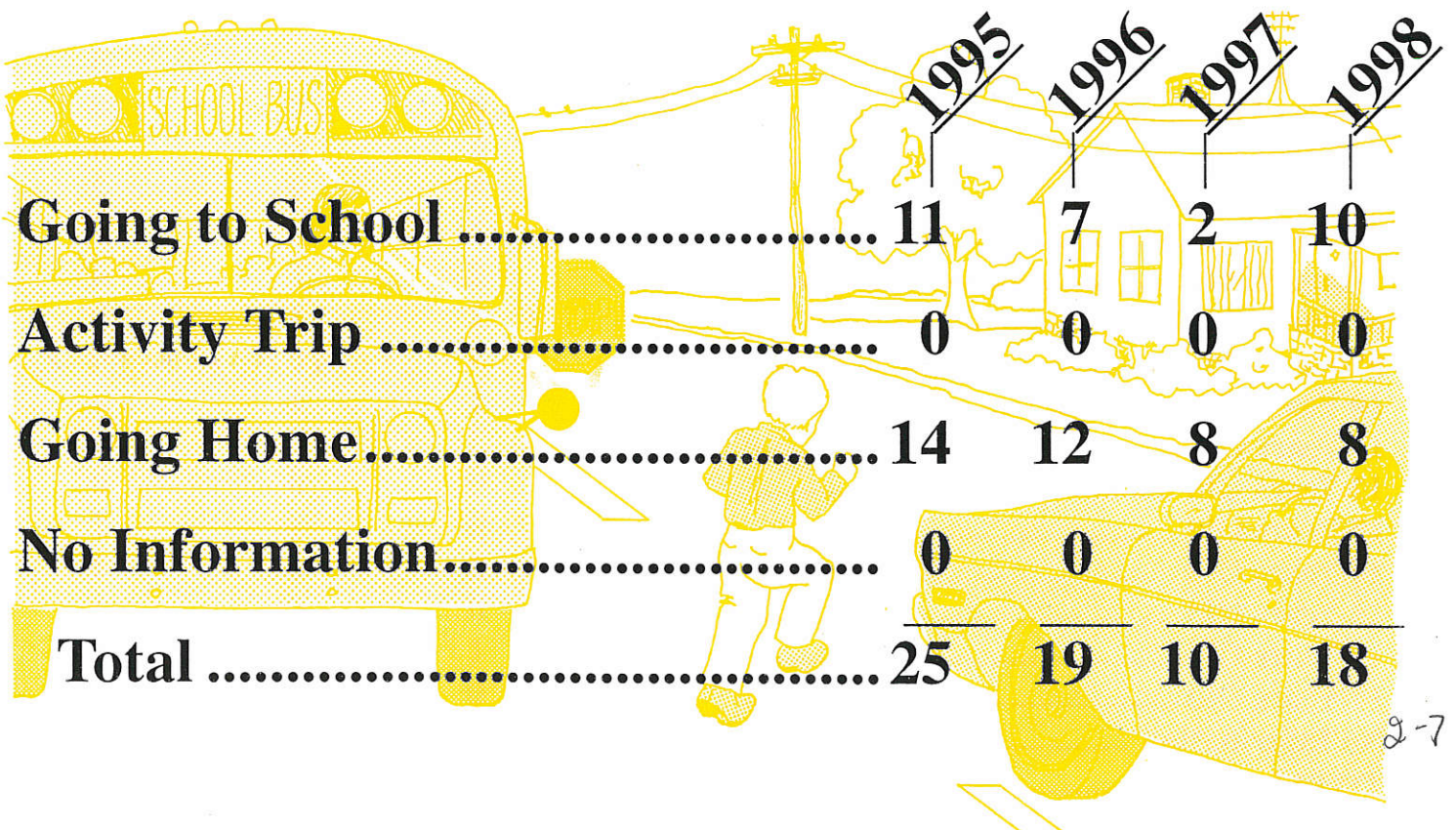
	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>
Type A	1	0	0	0
Type B	0	0	1	0
Type C	11	7	3	8
Type D	5	2	1	1
Public Transit	0	1	0	0
Other	7	8	5	9
Unknown.....	1	1	0	0
Total.....	25	19	10	18

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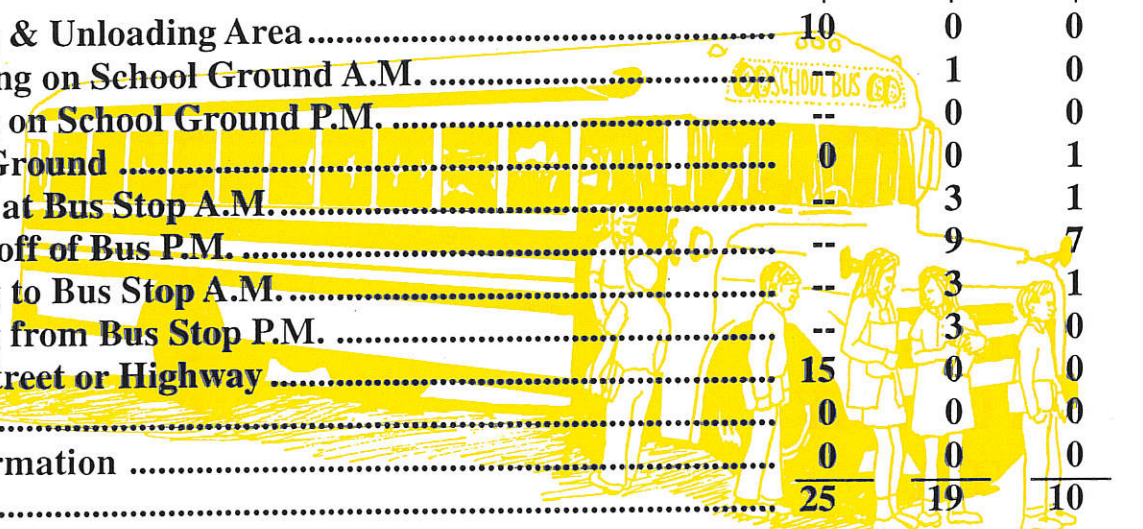
DAY OF THE WEEK Fatality OCCURRED (1998 ONLY)

MONDAY	6
TUESDAY	4
WEDNESDAY	2
THURSDAY	4
FRIDAY	2
SATURDAY	0
SUNDAY	0
UNKNOWN	0

School Children Killed

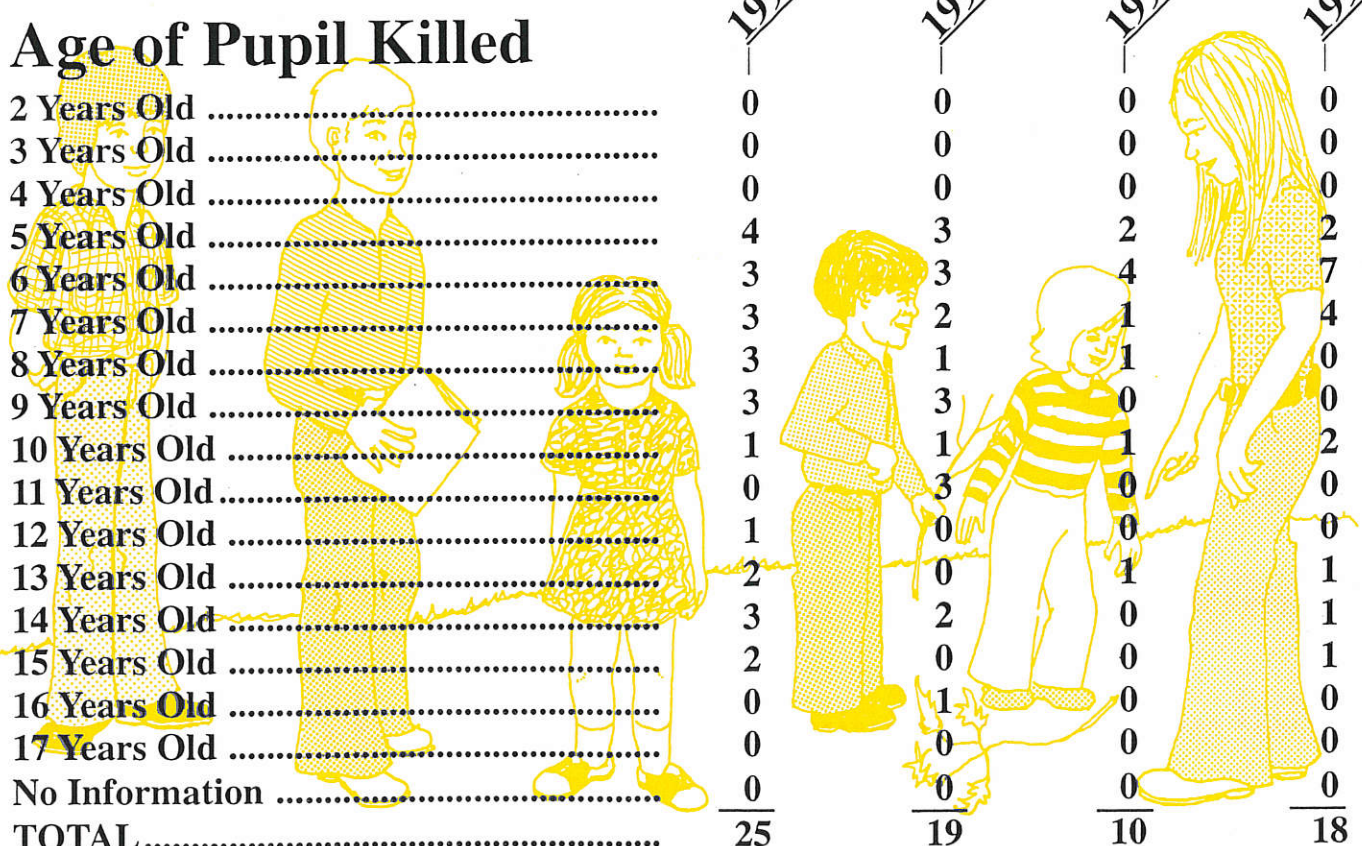


Place Pupil Was Killed



	1995	1996	1997	1998
Loading & Unloading Area	10	0	0	0
Unloading on School Ground A.M.	--	1	0	0
Loading on School Ground P.M.	--	0	0	0
School Ground	0	0	1	0
Waiting at Bus Stop A.M.	--	3	1	7
Getting off of Bus P.M.	--	9	7	8
Walking to Bus Stop A.M.	--	3	1	3
Walking from Bus Stop P.M.	--	3	0	0
Road, Street or Highway	15	0	0	0
Other	0	0	0	0
No Information	0	0	0	0
TOTAL	25	19	10	18

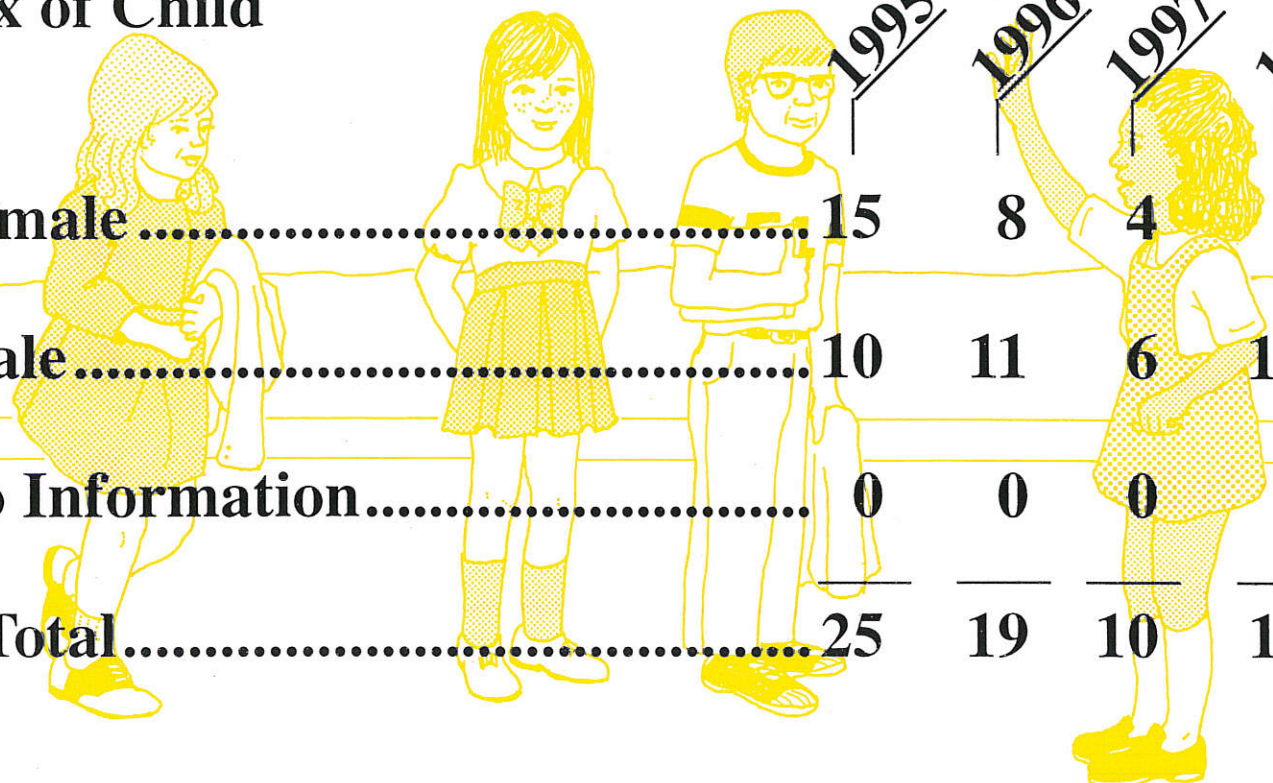
Age of Pupil Killed



	1995	1996	1997	1998
2 Years Old	0	0	0	0
3 Years Old	0	0	0	0
4 Years Old	0	0	0	0
5 Years Old	4	3	2	2
6 Years Old	3	3	4	7
7 Years Old	3	2	1	4
8 Years Old	3	1	1	0
9 Years Old	3	3	0	0
10 Years Old	1	1	1	2
11 Years Old	0	3	0	0
12 Years Old	1	0	0	0
13 Years Old	2	0	1	1
14 Years Old	3	2	0	1
15 Years Old	2	0	0	1
16 Years Old	0	1	0	0
17 Years Old	0	0	0	0
No Information	0	0	0	0
TOTAL	25	19	10	18


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Sex of Child



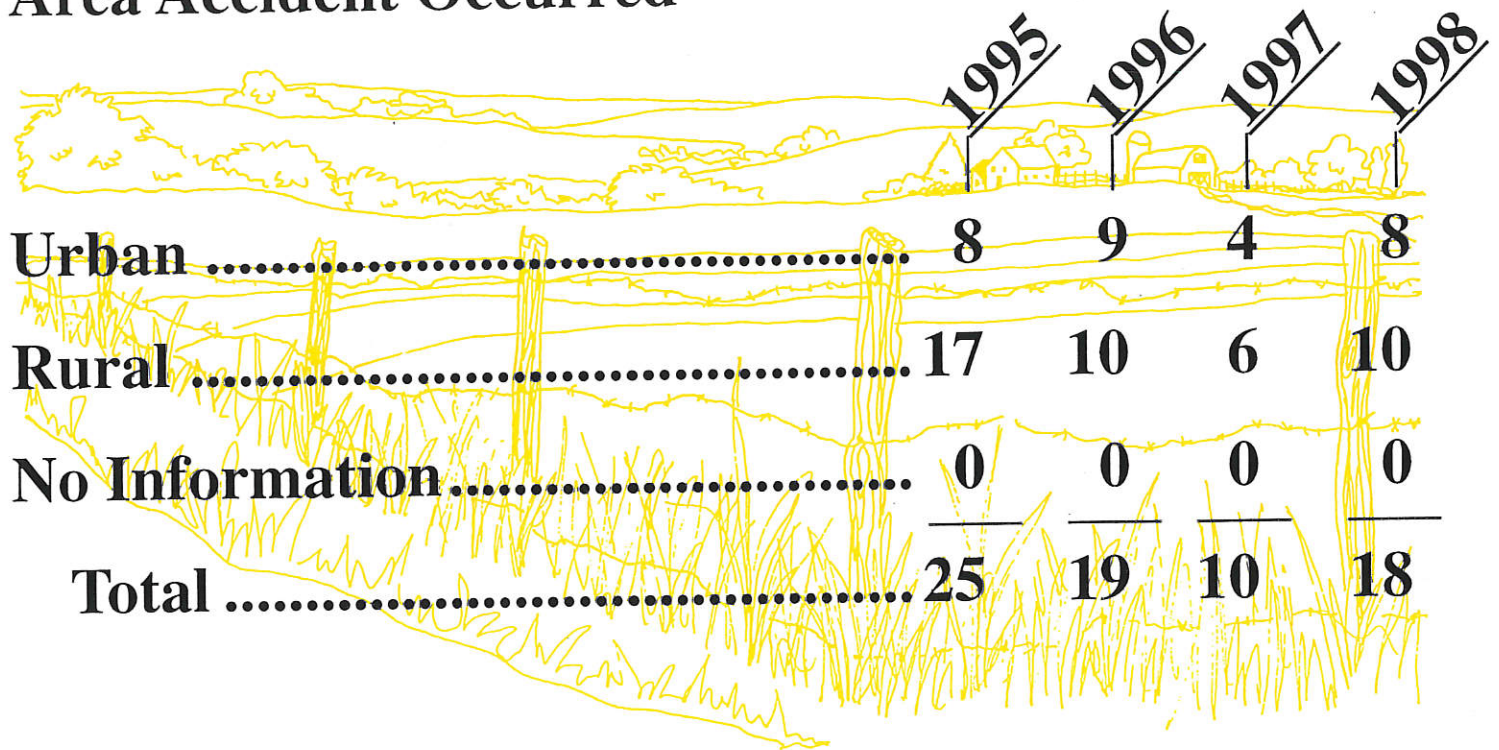
	1995	1996	1997	1998
Female	15	8	4	8
Male	10	11	6	10
No Information	0	0	0	0
Total	25	19	10	18

Objects Caught, Dropped Objects or Fell Down



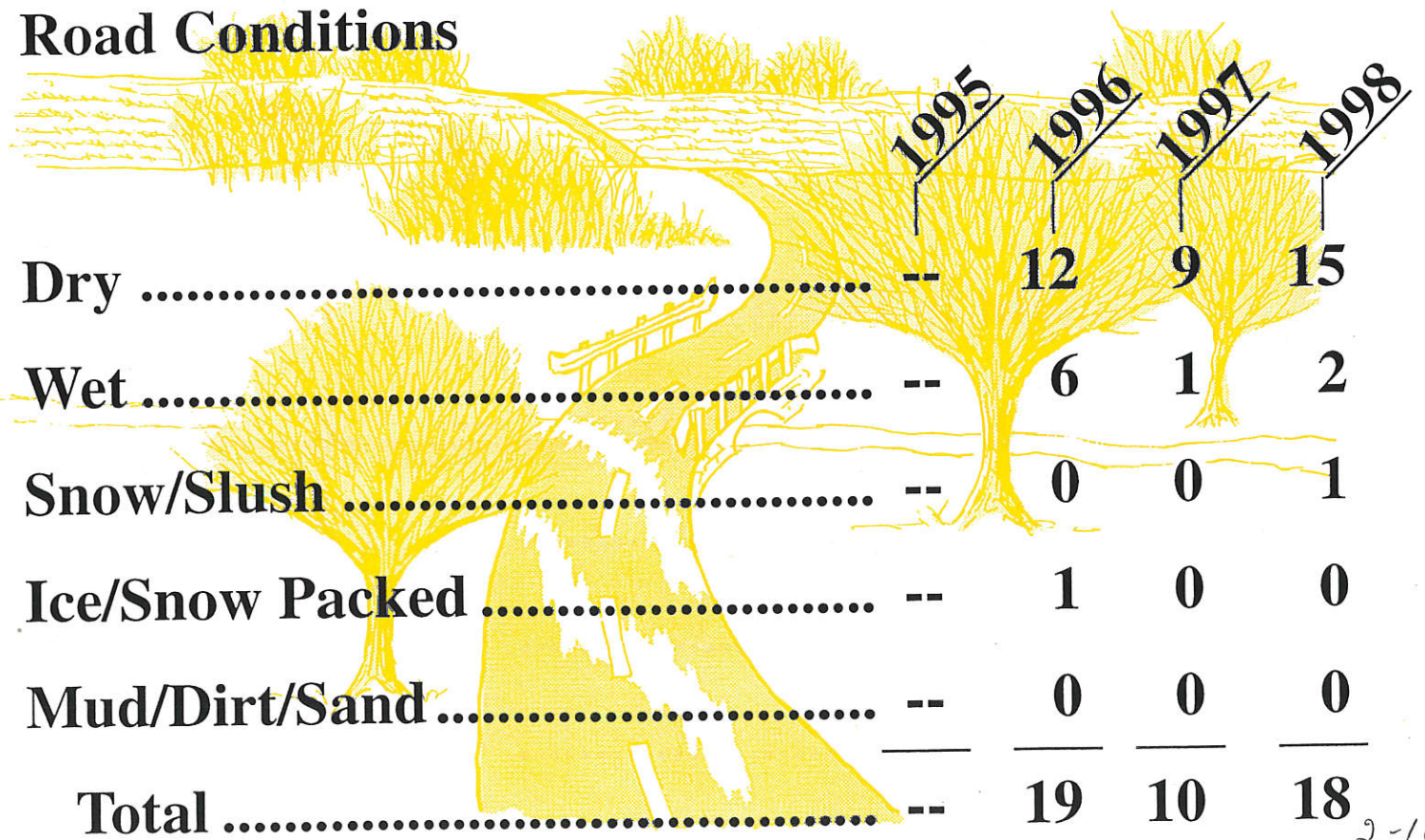
	1995	1996	1997	1998
Object Caught in Handrail	--	1	0	0
Object Caught in Closed Door ...	--	2	0	0
Dropped Object	--	2	2	4
Other	--	5	0	0
Total	--	10	2	4

Area Accident Occurred



	1995	1996	1997	1998
Urban	8	9	4	8
Rural	17	10	6	10
No Information	0	0	0	0
Total	25	19	10	18

Road Conditions



	1995	1996	1997	1998
Dry	--	12	9	15
Wet	--	6	1	2
Snow/Slush	--	0	0	1
Ice/Snow Packed	--	1	0	0
Mud/Dirt/Sand	--	0	0	0
Total	--	19	10	18

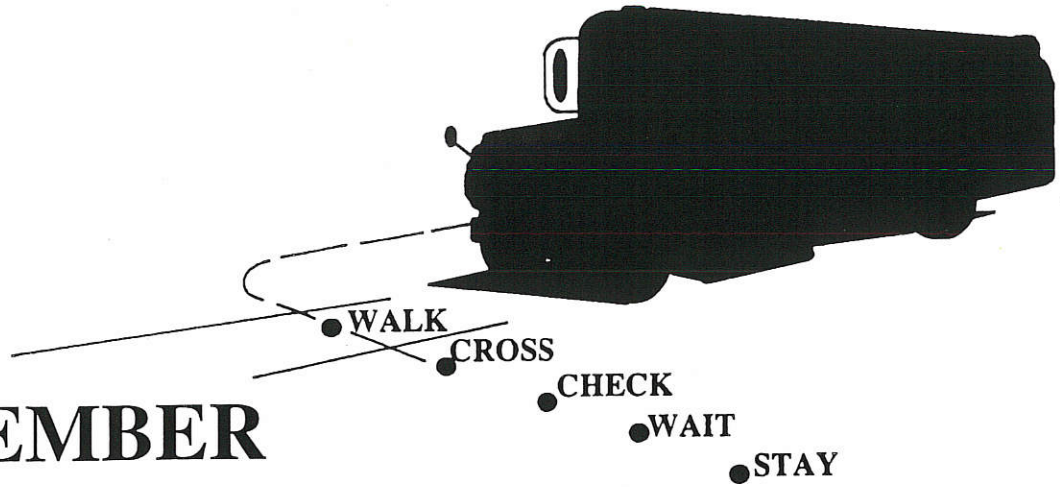
Weather Conditions

	1995	1996	1997	1998
Clear	21	10	9	16
Cloudy	1	4	0	1
Cloudy/Raining	0	2	0	0
Rain	0	3	1	1
Snow/Sleet/Ice	2	0	0	0
Fog	0	0	0	0
Unknown	1	0	0	0
Total.....	25	19	10	18

Type of Road

	1995	1996	1997	1998
Gravel.....	--	0	2	0
City Street	--	7	4	8
State Highway	--	4	3	9
Federal Highway	--	1	0	0
Interstate	--	0	0	0
County Road.....	--	5	0	1
Other	--	2	1	0
Total	--	19	10	18

2-11



REMEMBER

- STAY ON YOUR SIDE OF THE ROAD UNTIL YOUR DRIVER SIGNALS YOU TO CROSS
- CHECK AND RECHECK FOR TRAFFIC
- FOLLOW THE 10-FOOT RULE
- BOARD BUS QUICKLY- GO DIRECTLY TO YOUR SEAT

DRIVERS SHOULD STOP - BUT THEY MAY NOT!

WHEN BOARDING YOUR BUS...

HERE'S HOW TO

CROSS THE ROAD SAFELY

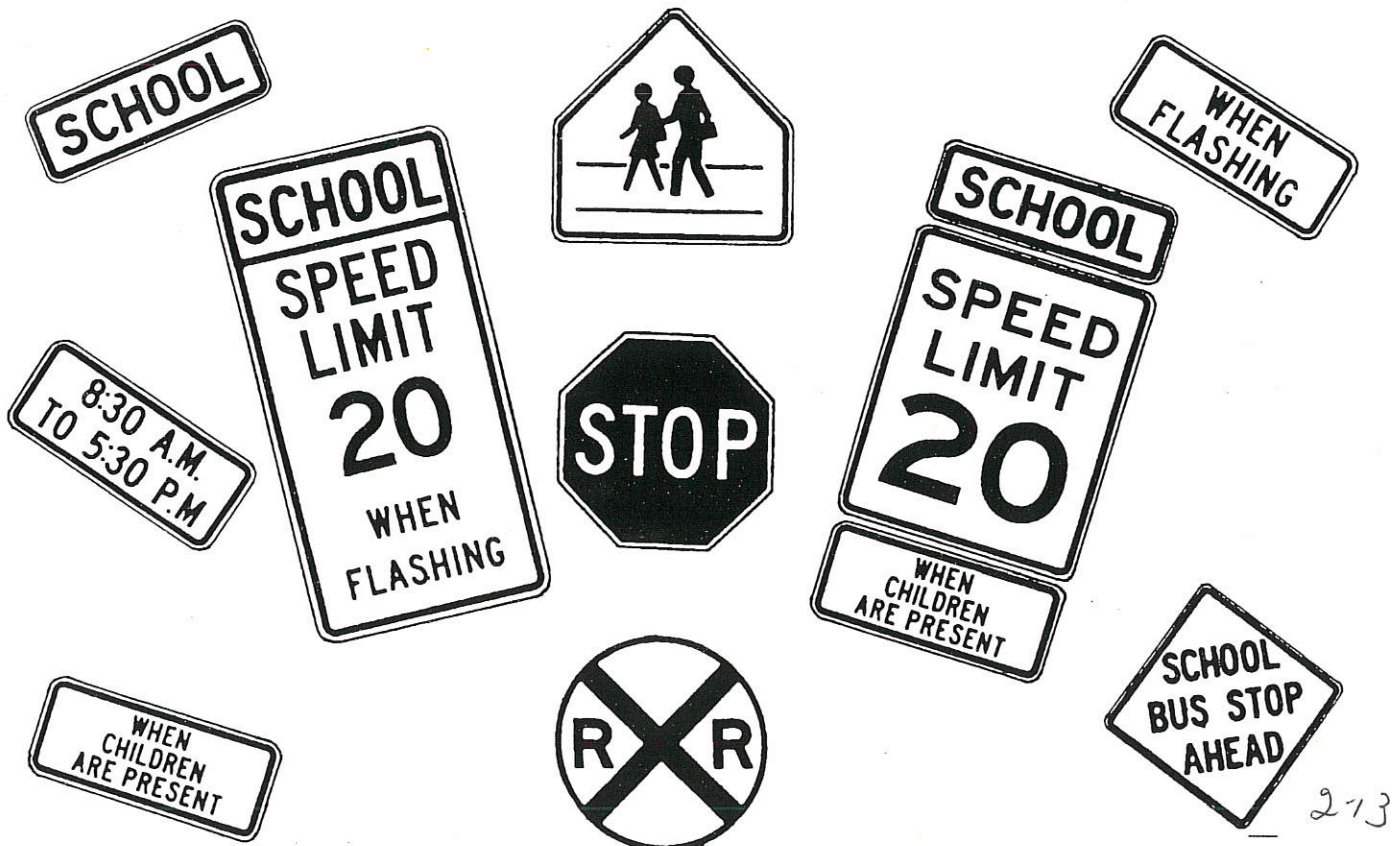
FOLLOW THE 10-FOOT RULE

- **STAY** — ON YOUR SIDE OF THE ROAD- FAR AWAY FROM TRAFFIC
- **WAIT** — FOR THE BUS TO STOP AND FOR YOUR DRIVER'S SIGNAL TO CROSS
- **CHECK** — TRAFFIC BOTH WAYS- THEN CHECK AGAIN
- **CROSS** — WALK DIRECTLY ACROSS CHECKING TRAFFIC BOTH WAYS
- **WALK** — 10 FEET AHEAD OF THE BUMPER AND BOARD BUS QUICKLY

2-12

MONTH FATAL ACCIDENT OCCURRED

	1995	1996	1997	1998
JANUARY	5	3	0	4
FEBRUARY	1	3	1	1
MARCH	4	4	0	2
APRIL	1	2	3	0
MAY	1	0	2	2
JUNE	2	0	1	2
JULY	0	0	0	0
AUGUST	0	0	0	1
SEPTEMBER	3	1	0	2
OCTOBER	1	2	3	2
NOVEMBER	6	1	0	0
DECEMBER	1	3	0	2
NO INFORMATION	0	0	0	0
TOTAL	25	19	10	18

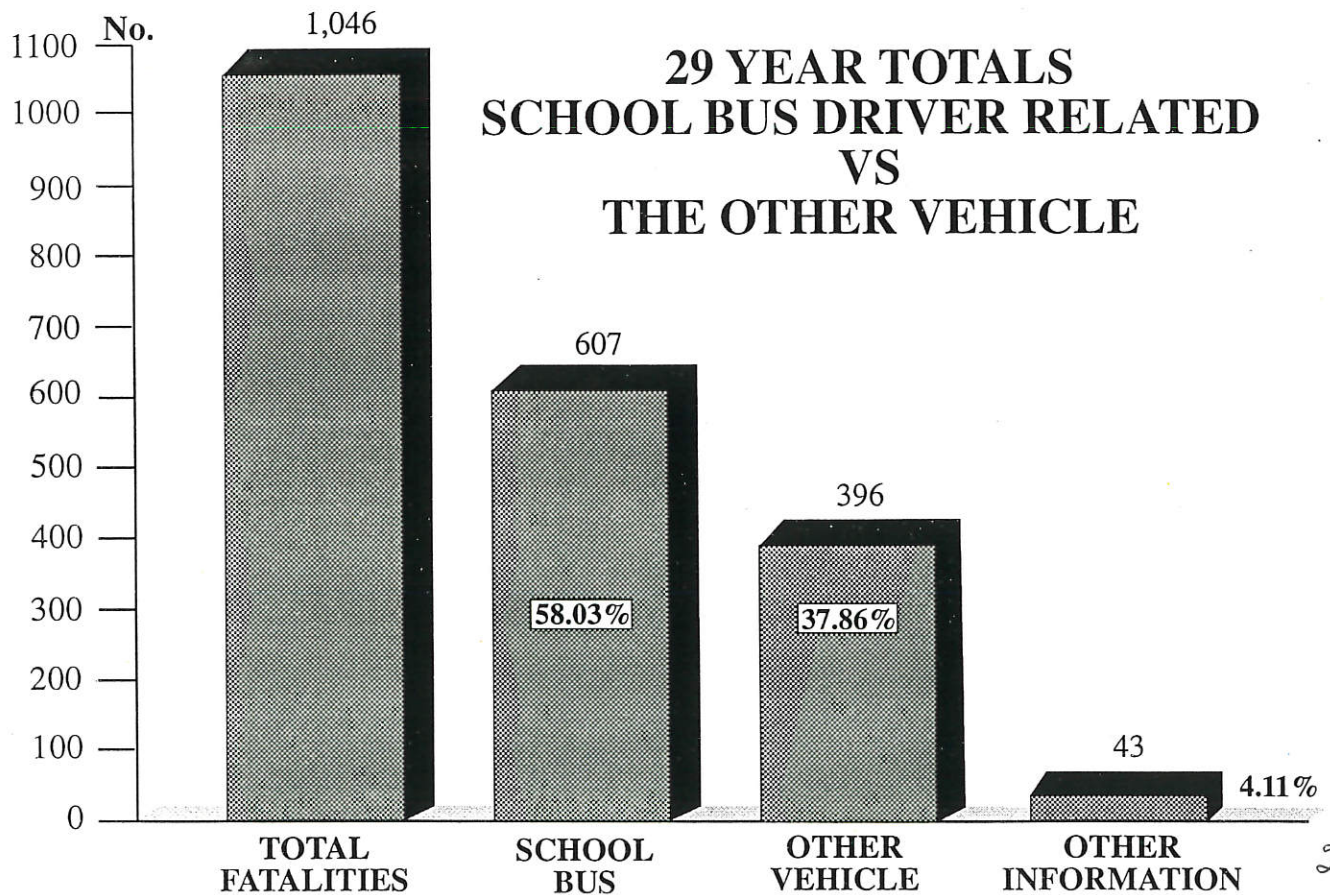


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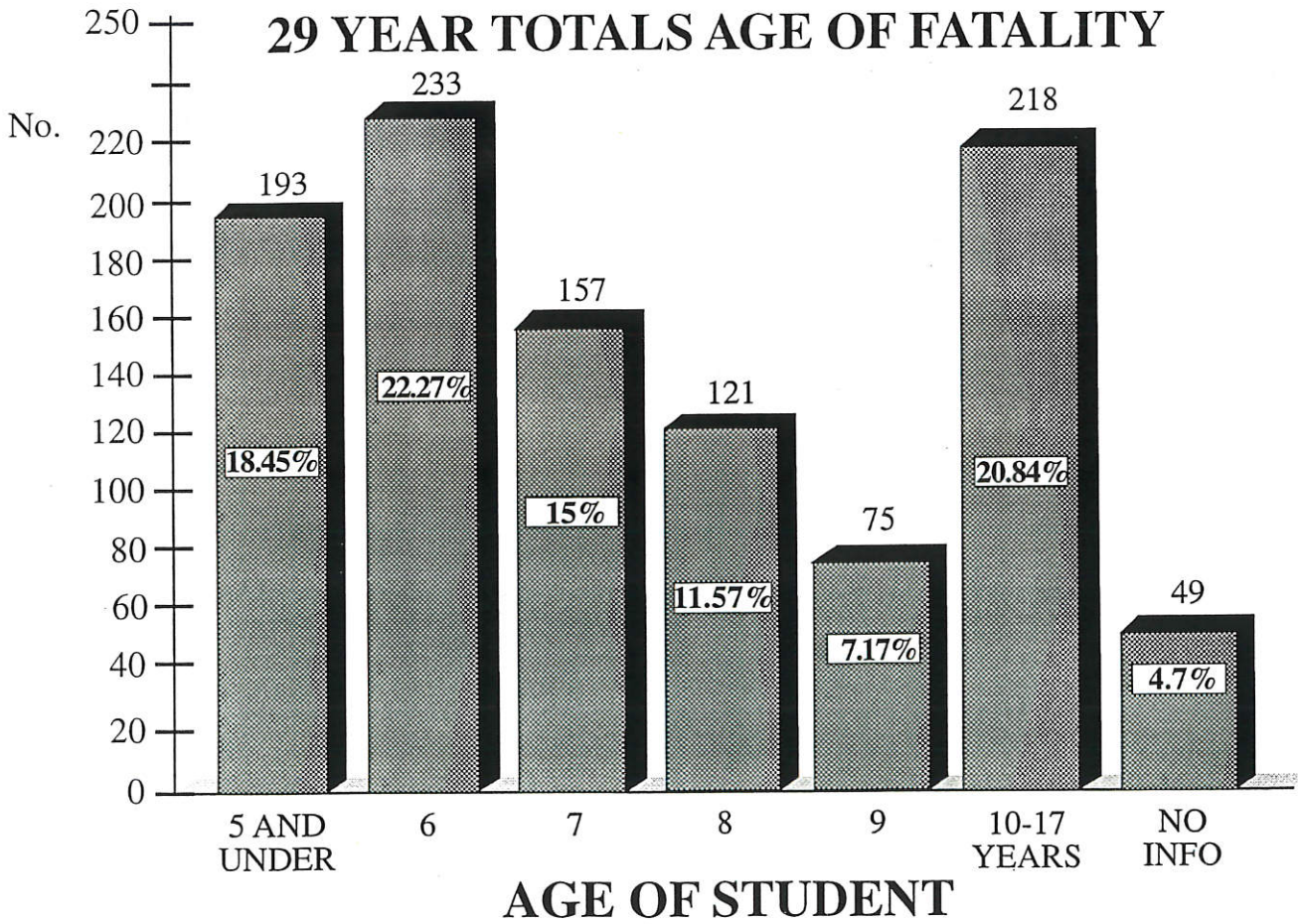
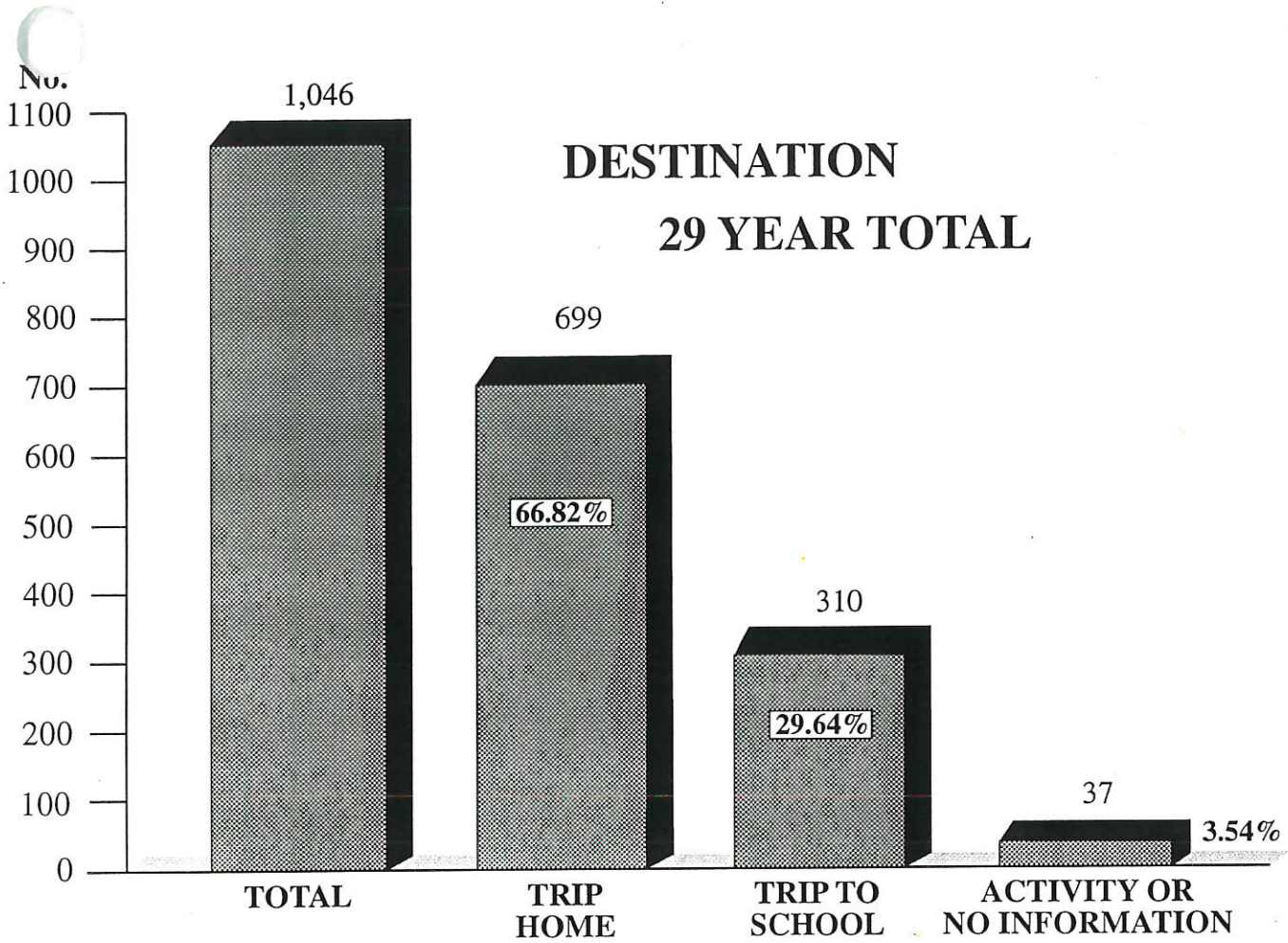
1998-99 FATALITY ACCIDENT SUMMARY REPORT

1. A 5-year-old girl exited the school bus. She slipped on the snow and fell underneath the school bus. The driver slowed down but drove on.
2. A 5-year-old boy was running to catch the bus. He ran in front of the bus and was struck and killed.
3. A 6-year-old girl thought her bus was coming and was trying to cross the street. She walked in front of the bus and was struck and killed by the bus. The driver thought she ran over a chunk of snow and ice.
4. A 6-year-old girl exited the school bus and was struck and killed by the front of the bus.
5. A 6-year-old boy was struck and killed by a passing motorist while attempting to cross the roadway to catch his bus. The driver of the approaching vehicle was apparently blinded by the sun and failed to stop for the flashing lights and stop arm of the bus.
6. A 6-year-old girl exited the school bus and was struck and killed by a passing motorist. The motorist was blinded by the sun.
7. A 6-year-old boy exited the bus and crossed the street. When he came back across to pick up some papers that were dropped, he was struck and killed by his bus.
8. A 6-year-old girl exited the bus and crossed the street. When she came back across to pick up some papers that were dropped, she was struck and killed by her bus.
9. A 6-year-old boy was struck and killed by an oncoming car when he went out into the street. The boy was waiting at the bus stop.
10. A 7-year-old boy was struck and killed by a passing motorist while attempting to cross the roadway to catch his bus. The driver of the car which was approaching the school bus from the rear failed to stop for the flashing lights and stop arm.
11. A 7-year-old boy exited the school bus and was struck and killed by the rear dual wheels of his school bus.
12. A 7-year-old boy exited the bus and was observed to be safely across the street. For an unknown reason, the boy ran back across the street into the path of the bus as it pulled away.
13. A 7-year-old boy was trying to cross the street to catch his bus when he was struck and killed by a passing motorist.
14. A 10-year-old girl crawled underneath her bus to retrieve some papers when she was run over by the front wheels of the bus.
15. A 10-year-old girl exited the bus, crossed in front of the bus, and was struck and killed by a vehicle that came around the bus from the rear. The driver of the approaching vehicle failed to stop for the stop arm of the bus.
16. A 13-year-old girl was struck and killed by a passing motorist while attempting to cross the roadway to catch her bus. The driver of the approaching vehicle failed to stop for the stop arm of the bus.
17. A 14-year-old boy was struck and killed by a pickup while attempting to cross the highway to catch his bus.
18. A 15-year-old boy was struck and killed by an oncoming car when he went out into the street. The boy was waiting at the bus stop.

STATES	NUMBER OF FATALITIES REPORTED	STATES	NUMBER OF FATALITIES REPORTED
Alabama	1	Montana	0
Alaska	0	Nebraska	0
Arizona	0	Nevada	0
Arkansas	1	New Hampshire	0
California	0	New Jersey	0
Colorado	0	New Mexico	0
Connecticut	1	New York	1
Delaware	0	North Carolina	2
Florida	0	North Dakota	0
Georgia	2	Ohio	1
Hawaii	0	Oklahoma	0
Idaho	0	Oregon	0
Illinois	1	Pennsylvania	0
Indiana	0	Rhode Island	0
Iowa	1	South Carolina	3
Kansas	1	South Dakota	0
Kentucky	0	Tennessee	0
Louisiana	0	Texas	0
Maine	0	Utah	0
Maryland	0	Vermont	0
Massachusetts	0	Virginia	0
Michigan	0	Washington	0
Minnesota	0	Washington DC	N/A
Mississippi	1	West Virginia	0
Missouri	1	Wisconsin	1
		Wyoming	0
		TOTAL FATALITIES	18



2-15



2-16

SUMMARY

- 704 fatalities occurred to students 2, 3, 4, 5, 6, 7, & 8 yrs. of age, or 67% of total.
- Students departing bus or on their way home from the bus involved 69% of all fatalities in the study.
- Fatalities attributed to the school bus were 50%, those involving “the other vehicle” were 50% for 1998-99.
- 11% fell in the “other” category.

This survey is provided annually to the school transportation industry in an effort to alert individuals and organizations of the dangers involved in loading and unloading school children. Fatalities continue to occur at the bus stop, caused by a variety of circumstances and errors on the part of the school bus driver or passing motorist. It points out the continuing need for forceful, advanced instruction to school bus drivers and the need to increase our efforts to thoroughly inform the driving public about the requirements of the school bus stop law.

2-17

Kansas Senate Transportation Committee

Chairman

Senator Vidricksen

House Bill # 2582

February 22, 2000

**Barbara Pringle
Executive Secretary
Kansas State Pupil
Transportation Association
P. O. Box 1504
Emporia Kansas 66801
Wk 316-341-2218
Hm 316-342-4009**

SENATE TRANSPORTATION & TOURISM
COMMITTEE -DATE: 2-22-00
ATTACHMENT: 3

3-1

On behalf of the Kansas State Pupil Transportation Association I would like to thank you and express our appreciation for your concern and support of school bus safety in the state of Kansas. The safety of our children is the highest priority for our organization.

House Bill # 2582 addresses an area of concern we have been seeking assistance with for several years, the dangers involved when students are loading and unloading from the bus. This is the most dangerous part of their trip when they ride the school bus. Motorist are required to stop for the school bus stop sign, but the number of stop sign runners is a continuing problem.

However we do have some concerns about House Bill # 2582. The proposed use of alternately flashing head lamps on the school bus. We are concerned that the use of high beam headlights flashing on and off could result in the approaching motorist being temporarily blinded, (especially in dark or low-light conditions). The height of the headlamps above ground level is closer to the eye level of an approaching motorist than the flashing warning lamps near the roof line of the bus. A temporarily blinded motorist may miss the other, more widely known signals indicating that a school bus has stopped – the red flashing warning lamps and stop signal arm.

This could result in the motorist not seeing the red flashing lights or the students loading on or off the school bus.

Bright head lamps flashed on and off may cause not only momentary blindness, but a lessened capacity to see properly for 6 to 10 minutes. The bright light flashing in your eyes will cause a certain amount of blindness in the center of the eye. A great many people also have a lot of difficulty driving at night, even without the bright lights hitting them. This is why defensive driving courses tell us not to use bright lights as a warning device for oncoming vehicles.

In the winter time, our pupils are picked up for daily transportation to school in the morning while it is still dark, and then are delivered home as it is getting dark or is fully dark. You may also be aware that dusk and dawn driving are the worst times for driving because the twilight hours make it more difficult to see.

The House Bill 2582 also states use of alternating head lamps would be optional. It is important that buses be uniform in warning devices so the public will recognize it as a school bus immediately.

The uniformity among states of when a school bus is stopped and what passing motorists must do is a critical item. Sending mixed messages to motorists, particularly motorists from other states, does more harm than good.

A good example of mixed messages was the stop signal arm. One of the reasons the Federal government mandated stop signal arms was to have a uniform device that had standardized operations so motorists throughout the US would know what the device meant and what they were required to do.

With all of the illegal passing of stopped school buses already going on in Kansas and across the United States, it does not seem reasonable to introduce yet another warning mechanism to passing motorists.

It is difficult to accept the fact that all of the motorists that illegally pass a stopped school bus did not see or recognize that the bus had stopped.

I believe this group is divided into 3 groups of people who pass a stopped school bus: (1) people who are not paying any attention to what is happening around them, inattentive driving (2) do not know better, unaware of the school bus stop regulations; or (b) do not care.

For those that fall into the "1" and "2" category, the answer is EDUCATION -- teach that driving is a full time job and how important it is to pay attention to what is going on in traffic and not the radio or cell phone and most important teach them that flashing warning lamps and an extended stop signal arm mean you must stop. We need to remind them of the differences between 2-lane roads, 4-lane roads, 4-lane divided roads, etc.

For those that fall into the "3rd" category, the answer is ENFORCEMENT -- the police and courts have to ticket and fine violators severely.

With the growing awareness of road rage, ignoring speed limits, illegal passing on the right, tailgating, etc. (all of which reflects the fast pace of our lives), there is little doubt in the minds of most safety professionals that the illegal passing of stopped school buses is just a small part of a bigger traffic safety problem -- little or no respect for traffic laws.

The proposal to require school buses to flash the high beams while loading and unloading children addresses none of the obvious causes of illegal passing.

We are not in favor of the additional option of the use of alternating head lamps on school buses as we believe it may have a negative effect on safety. We must work on continuing to educate the public on the importance of stopping for school buses when they are loading or unloading children and for new ways to protect our children.

We are very concerned about the loading and unloading issue and hope we can work together in the future to find a solution to this problem.

Please feel free to contact me about school bus safety issues.

Thank you for your support of school bus safety,



Barbara Pringle
February 22, 2000



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary
900 SW Jackson, Suite 502
Topeka, KS 66612-1233
785/296-2281 FAX 785/296-6953



MEMORANDUM

To: Senate Committee on Transportation and Tourism
From: Chad Luce, Public Information Officer
Date: February 16, 2000
Subject: SB 536

Below is our department's response to questions asked at the February 14 committee hearing on SB 536. Please contact me at 296-2281 if you have further questions.

- Attached is a spreadsheet of Boating Fee Fund revenues and the current balance of the fund. The passage, or failure, of SB 536 will not impact our apportionment of federal funds.
- The department is still contacting the 29 other states with mandatory boating education. Preliminary results indicate that most states require the possession of a certificate of completion while boating. Also, many states do not exempt nonresidents from boating education requirements.
- SB 536 does have a penalty clause. K.S.A. 32-1031 states:

Unless otherwise provided by law or rules and regulations of the secretary, violation of any provision of the wildlife and parks laws of this state or rules and regulations adopted thereunder is a class C misdemeanor.

A penalty of a class C misdemeanor is up to the court. Statute provides a maximum penalty of up to \$500 and/or 30 days in jail. This is the same penalty clause that is cited for failure to comply with hunter education requirements.

- It is extremely rare for a private stream or impoundment to be enrolled in the department's "walk-in fishing" program, and allow motorized boat access. If such a property was enrolled, it is probable that the boating education requirements would apply. However, again, this would most likely not occur with any degree of frequency.

SENATE TRANSPORTATION & TOURISM
COMMITTEE -DATE: 2-22-00
ATTACHMENT: 4

Boat Fee Fund Revenue

	Boat Registration	Federal Matching Funds	Balance
FY 00*	\$650,000	\$425,000	\$1,114,002
FY 99	\$645,598	\$436,905	\$914,622
FY 98	\$619,968	\$384,125	\$985,242

* Estimated