

MINUTES OF THE SENATE TRANSPORTATION & TOURISM COMMITTEE.

The meeting was called to order by Chairperson Senator Ben Vidricksen at 9:05 a.m. on March 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:

Others attending: See attached list

Chairman Vidricksen announced that because of the difficulty in getting in and getting set up on time when back to back committee meetings are scheduled, the meeting time will be permanently changed to 9:10 a.m. Because, time is short, members should be in their seats and ready to start promptly at 9:10 a.m.

**HB 2258: Re auxiliary driving lamps and fog lamps,; restrictions**

Highway Patrol Trooper Eichorn testified in support of this bill which would require that auxiliary driving lights and fog lights be turned off in the same circumstances as high beams under current law (Attachment 1).

Members raised several issues; i.e. safety problems manual manual switches vs. those tied in with low beams; enforcement problems; benefits from such lights during inclement weather; urban use vs. rural use, etc.

It was agreed that all members would watch for problems/benefits related to these lights and return to further consider this bill when they have a better understanding of the problem.

**Approval of minutes**

Senator Jordan moved to approve the minutes of February 22, 2000 and February 23,2000 meeting. Senator Stephens seconded the motion. Motion carried.

The meeting adjourned at 9:50 a.m.

The next meeting is scheduled for Thursday, March 2, 2000

**SENATE TRANSPORTATION & TOURISM COMMITTEE  
GUEST LIST**

**DATE: MARCH 1, 20000**

NAME	REPRESENTING
MARK ENGHOLM	KHP
<i>Richard</i>	KHP
Tom WHITAKER	KS MOTOR CARRIERS ASSN.
Dick Bauman	KDOT
Zatt Brunner	DOB

**Kansas Highway Patrol  
Summary of Testimony  
2000 House Bill 2258  
Senate Transportation and Tourism Committee  
presented by  
Sergeant John A. Eichkorn  
March 1, 2000**

Good afternoon Mr. Chairman and members of the committee. My name is John Eichkorn and I appear before you on behalf of Patrol Superintendent, Colonel Don Brownlee, to comment on House Bill 2258, which attempts to regulate the use of auxiliary driving lamps and fog lamps.

With the increasing popularity of vehicle auxiliary driving lamps and / or fog lamps, the Highway Patrol has become aware that some motorists are concerned about the intensity of these lights. Under current law, drivers may utilize these lamps at any time, even in the presence of other motor vehicles. House Bill 2258 attempts to address this issue by limiting the circumstances under which auxiliary driving lamps and fog lamps may be used. Their use would be limited in the same way that we currently limit the use of high beam headlights. Drivers would be required to turn off their auxiliary driving lamps or fog lamps within 500 feet of oncoming traffic and within 300 feet of vehicles traveling the same direction.

In preparation for this hearing, the Patrol contacted Legislative Research to find out how other states have approached this issue. According to Legislative Research no other states have enacted legislation similar to House Bill 2258. However, some states did limit how far ahead of the vehicle the beam of these lights could legally project.

The Patrol understands the intent of this bill is to increase traffic safety. However, we have been unable to confirm that all motor vehicles fitted with these lamps have also been equipped with the means for the driver to manually turn them off upon the approach of other traffic. We are also concerned that when a manual switch does exist, it may not be readily accessible to the driver. This could cause a potentially dangerous distraction to drivers in the presence of other traffic.

HB 2258 currently contains a graduated enforcement clause, much like Kansas' original seatbelt and window tint laws. This Patrol supported clause directs law enforcement officers to issue warnings to violators for the first year after the law changes. This allows the public to be educated about the new requirement to deactivate fog and auxiliary driving lamps bringing about a smooth transition and voluntary compliance with the law.

On behalf of the Kansas Highway Patrol, I thank you for giving me the opportunity to speak before you this afternoon and stand for questions.

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SENATE TRANSPORTATION & TOURISM  
COMMITTEE -DATE: 3-1-00  
ATTACHMENT: 1