

MINUTES OF THE SENATE TRANSPORTATION & TOURISM COMMITTEE.

The meeting was called to order by Chairperson Senator Ben Vidricksen at 9:10 a.m. on March 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, Secretary

Conferees appearing before the committee: Bryce Meeker, Senate Intern

Others attending: See attached list

SB 591: Concerning issuance of certain driver's licenses

Senator Jones had requested time for additional input on this bill. His Intern, Bryce Meeker, advised he had done additional research and wished to present an amendment for possible committee consideration (Attachment 1). He briefly recapped the problems encountered by people who have had driver's license suspended. Reminded members that other states do have laws which permit limited/emergency driving and described the applicable situations.

Staff had not seen proposed amendments. However, it does not appear this bill would help those in situations similar to Senator Jones' constituent. Members commended Mr. Meeker for his work on the bill and the possible amendments he had developed. It was recommended that he continue to monitor the issue. He observed that if better rapid transit systems were available there would not be such a problem for those who, for whatever reason, are unable to drive

HB 2561: Re motor vehicles - Certificates of Title

Staff Revisor Kinzie provided a briefing on **Senate Substitute for HB 2561** which is the result of deliberations of interested parties. The bill intent is to bring Kansas certificates of titles more into line with those issued by other states. The present Kansas "non-highway" terminology does not clarify the vehicle's status.

Senate Substitute for HB 2561 will change the "non-highway" terminology to "salvage" terminology to better match that used by other states. There are many technical amendments to correspond to terminology changes in the bill. Simply, the bill replaces non-highway and formerly non-highway certificate of titles with salvage and rebuilt titles, except for all terrain vehicles, vehicles with no insurance and vehicles not manufactured for street use. The bill also creates a "non-repairable" or "kill" title; i.e. any vehicle that cannot be restored to a safe driving condition and has no resale value except as a source for parts or scrap. The title will specify that the vehicle cannot be repaired and can be used for salvageable parts or scrap only. Senator Harrington moved to amend HB 2561 by adopting Senate Substitute for HB 2561. Senator Jordan seconded the motion. Motion carried

Proposed technical amendment to Section 4(B), requests insertion of words "other than a salvage vehicle for which" immediately after "any motor vehicle", and prior to, "the owner has not purchased insurance." Senator Jordan moved to adopt the proposed technical amendment to Senate Substitute for HB 2561. Senator Harrington seconded the motion. Motion carried.

Members discussed several sections of the bill, as well as the feasibility of amending the "Junkyard Bill" into this one; and were advised it was not germane to this issue. Senator Jordan moved to recommend Senate Substitute for HB 2561, as amended, favorable for passage. Senator Harrington seconded the motion. Motion carried. Senator Vidricksen will carry this bill.

CONTINUATION SHEET
MINUTES OF THE SENATE TRANSPORTATION & TOURISM COMMITTEE
March 22, 2000

Approval of minutes

Senator Jordan moved to approve minutes of March 21,2000 meeting. Senator Tyson seconded the motion. Motion carried.

The meeting adjourned at 10:05 a.m.

At this time, no more Senate Transportation & Tourism Committee meetings have been scheduled for this session of the Legislature.

10 AN ACT concerning the issuance of certain driver's licenses.

11

12 Be it enacted by the Legislature of the State of Kansas:

13 Section 1. (a) Upon submission of an application and payment of the
14 fees required by this section, the director of the division of motor vehicles
15 may issue a temporary restricted license to a person whose driver's license
16 has been revoked or suspended for a violation of K.S.A. 8-1002, 8-1567
17 or 8-1567a, and amendments thereto. Such temporary license shall allow
18 the person to drive to and from the person's home and specified places
19 at specified times which can be verified by the division and which are
20 required by the person's full-time or part-time employment, continuing
21 health care or the continuing health care of another who is dependent
22 upon the person, continuing education while enrolled in an educational
23 institution on a part-time or full-time basis and while pursuing a course
24 of study leading to a diploma, degree or other certification of successful
25 educational completion, substance abuse treatment and court-ordered
26 community service responsibilities. The director shall not issue a tem-
27 porary restricted driver's license to any person whose driver's license has
28 been revoked or suspended for a violation of K.S.A. 8-1002, 8-1567 or 8-
29 1567a, and amendments thereto, within six years preceding the date of
30 application for such license.

31 (b) This section shall not apply to a person whose driver's license was
32 revoked or suspended for a violation of K.S.A. 8-1002, 8-1567 or 8-1567a,
33 and amendments thereto, and which violation involved a death or serious
34 personal injury to a person other than the driver whose license was sus-
35 pended or revoked or to a person whose license is suspended or revoked
36 for another reason.

37 (c) (1) A person holding a temporary restricted license issued under
38 this section shall not operate a motor vehicle for pleasure.

39 (2) A person holding a temporary restricted license issued under this
40 section shall not operate a commercial motor vehicle on a highway if a
41 commercial driver's license is required for the person's operation of the
42 commercial motor vehicle. This subsection shall not apply if the tempo-
43 rary restricted license was issued as a result of the operation of a vehicle

and any suspensions involving an alcohol or drug related arrest.

Any person who is issued a restricted driver's license must continue concurrent enrollment in a drug or alcohol abuse program.

(d) Any person sighted for violating privileges granted would incur a penalty of the initial period of suspension plus an additional six months.

SENATE TRANSPORTATION & TOURISM
COMMITTEE - DATE: 3-22-00
ATTACHMENT: 1

1 other than a commercial motor vehicle by such person.

2 (3) A person holding a temporary license issued by this section shall
3 be prohibited from operating a school bus.

4 (d) The director also shall issue to any person issued a temporary
5 restricted license under this section a decal to be placed on the rear
6 window of any vehicle operated by such person. Such decal shall indicate
7 that the vehicle is being operated by a person holding a temporary re-
8 stricted license issued under this section. The willful failure to display
9 such decal shall be a class B misdemeanor and shall be grounds for rev-
10 ocation of the temporary restricted license.

11 (e) A nonrefundable fee of \$50 shall accompany any application sub-
12 mitted pursuant to this section. Such fee shall be in addition to any other
13 fee imposed by law for the issuance of a driver's license.

14 Sec. 2. This act shall take effect and be in force from and after its
15 publication in the statute book.

but does not constitute probable cause to pull over a vehicle.