

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE.

The meeting was called to order by Chairperson Les Donovan at 8:30 a.m. on January 18, 2001 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: Richard L. Cram, Ks. Dept. of Revenue
Sheila Walker, Ks. Dept. of Revenue

Others attending: See attached list

Introduction of bills

Richard L. Cram, Director, Office of Policy & Research, Kansas Department of Revenue requested introduction of a "cleanup" bill to remove reference to bonding requirement for licensing liquid fuel carriers (Attachment 1). Senator Gooch moved to introduce this bill. Senator Schordorf seconded the motion. Motion carried.

Sheila Walker, Director Kansas Division of Motor Vehicles (DMV), Kansas Department of Revenue, requested introduction of five bills and briefly explained each requested bill. Bill number one relates to electronic on-line verification of auto insurance. Bill number two relates to suspension of unlicensed drivers. Bill number three relates to clarification of vision and medical requirements for a Kansas Driver's License. Bill number four relates to surrendering drivers' licenses. Bill number five relates to eliminating the "uniform agreement" statute (Attachment 2). Members briefly discussed these bills. Senator Gooch moved to introduce all five bills. Senator Salmans seconded the motion. Motion carried.

Senator Lee requested introduction of two bills. Chairman Donovan explained bill number one would allow custom harvesters to use farm tags up to 150 miles from headquarters. The second bill relates to vehicle registration and would exempt certain types of farm trailers (Attachment 3). Revisor Kinzie provided additional information on this bill. Senator Salmans moved to introduce both bills. Senator Goodwin seconded the motion. Motion carried.

Announcements

Chairman Donovan reviewed next week's Committee Agenda, emphasizing the need for all members to attend and be present at 8:30 a.m. During this week members will learn more about projects the committee will be considering, not only this year, but in the future. The following week we will start working bills. The General Motors Plant tour is temporarily "on hold." Will try to work it in at a later date.

Approval of minutes

Senator Goodwin moved to approve minutes of the January 10 and 11, 2001 meetings. Senator Salmans seconded the motion. Motion carried.

The meeting adjourned at 9:10 a.m.

The next meeting is scheduled for January 23, 2001.

COMMITTEE GUEST LIST

DATE: JANUARY 18, 2001

NAME	REPRESENTING
Andy Law	Kearney Law Office
Tom Whitaker	Ks Motor Carriers Assn
John Hubbell	Kearney Railroad
Tom PALACE	PMUA of KS
Woody Moses	KMPA

STATE OF KANSAS
Bill Graves, Governor

DEPARTMENT OF REVENUE
Stephen S. Richards, Secretary

Office of Policy & Research
Richard L. Cram, Director
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Office of Policy & Research

January 18, 2001

To: Sen. Leslie D. Donovan, Sr., Chair
Senate Transportation Committee
245-N

From: Richard L. Cram

Re: Department of Revenue request to introduce bill

The Department of Revenue requests to introduce a bill amending K.S.A. 2000 Supp. 55-508 to remove the reference to bonding requirements for licensing liquid fuel carriers and deleting K.S.A. 2000 Supp. 55-509 concerning the same subject.

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DATE: 1-18-01
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Sheila J. Walker, Director
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Division of Vehicles

TESTIMONY

TO: Chairman Les Donovan
Members of the Senate Transportation Committee

FROM: Sheila J. Walker, Director
Kansas Division of Vehicles *Sheila J. Walker*

DATE: January 18, 2001

RE: DMV Bill Introductions

The Kansas Division of Motor Vehicles (DMV) respectfully presents five bills for introduction to the Senate Transportation Committee. Here is a brief summary of each bill:

ELECTRONIC ON-LINE VERIFICATION OF AUTO INSURANCE

This bill amends K.S.A. 8-173 to say: *Proof of insurance may also be verified on-line or electronically.* Current law says: *"Proof of insurance shall be verified by examination of the insurance card..."* Expanding the law to allow for electronic insurance verification will ultimately lead to implementation of a statewide on-line registration renewal system. The ability to process registration renewals on-line will provide better customer service for the citizens of Kansas. In addition, the county treasurers will be able to process renewals more efficiently without requiring customers to stand in long lines.

SUSPENSION OF UNLICENSED DRIVERS

This change would give the DMV the authority to suspend the privilege of an *unlicensed* driver to obtain a license for the same period that a *licensed* driver is suspended. Driver Control had been taking this action prior to a March 2000 Kansas Supreme Court decision (*State v. Bowie*). The court ruled that a person who had not obtained a driver's license could not be charged with "driving while suspended" although the person had committed an offense which would otherwise have resulted in a license suspension. The Supreme Court suggested that the Legislature take action to correct the present situation (which provides an incentive to drive without a license).

CLARIFY VISION & MEDICAL REQUIREMENTS FOR A KANSAS DRIVER'S LICENSE

To be eligible for a driver's license, applicants must currently have "20/60 or better vision in at least one eye, with or without corrective lenses." Individuals with a reading of 20/60 or worse

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must take a drive test. We recommend amending K.S.A. 8-295 to limit the corrective lens requirement to a standard lens only. For drivers using a telescopic lens, this would mean that examiners would rely on the vision reading obtained through the full carrier lens (or the standard lens), rather than the visual acuity obtained through the telescopic lens.

We also recommend amending K.S.A. 8-247 to require applicants to be both seizure free for six months and have a physician's written recommendation that the applicant's seizure condition is controlled.

Finally, amending K.S.A. 8-255b would allow the Director of Vehicles to submit any case to the Medical Advisory Board, not just the cases of drivers who are suspended or revoked (as the law currently states).

SURRENDERING DRIVERS' LICENSES

This proposal would eliminate the requirement for law enforcement and drivers to mail in the plastic driver's license under certain circumstances. Law enforcement checks the system to validate an individual's driving privileges anyway. This change would eliminate the need for Driver Control to receive, file and return hundreds of drivers' licenses, thus freeing up some administrative time to better handle more important processing functions.

ELIMINATING THE "UNIFORM AGREEMENT"

This bill deletes the old "Uniform Agreement" statute (K.S.A. 8-1,112). This statute is no longer needed since all jurisdictions that were in the Uniform Agreement are now members of the International Registration Plan (IRP).

IAN J. FURSE, ATTORNEY
REVISOR OF STATUTES

JAMES A. WILSON III, ATTORNEY
FIRST ASSISTANT REVISOR

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RICHARD M. CHAMPNEY, B.S.

August 3, 2000

Senator Janis Lee
RR 1, Box 145
Kensington, KS 66951-9745

Dear Senator Lee:

Enclosed you will find the bill draft you requested exempting certain farm trailers from registration, if such trailers are used in the transporting of hay or forage.

The provisions of K.S.A. 8-143 currently provides for three trailer registration exemptions:

- (1) Farm trailers used in carrying 6,000 pounds or less of agricultural products;
- (2) non self-propelled vehicles (trailers) used and designed for:
 - (a) Applying fertilizers and only incidentally moved upon the highways; or
 - (b) picking up and transporting hay or forage from a field to storage, or from storage to a feedlot and only incidentally moved upon the highways.

After discussing this provision with the division of vehicles, they were of the opinion that it would be better to move the exemptions to K.S.A. 8-128, the general registration exemption statute.

New paragraph (7) moves the current language in K.S.A. 8-143 exempting farm trailers carrying 6,000 pounds or less to K.S.A. 8-128.

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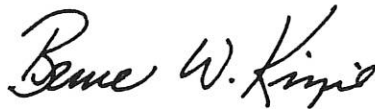
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August 3, 2000
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New paragraph (8) exempts farm trailers used and designed for transporting hay or forage from the field to storage or from storage to a feedlot and is only incidentally moved on the highways. Also, since the definition of farm trailers under K.S.A. 8-126, includes semitrailers, the bill draft excludes semitrailers from the exemption.

As I explained earlier, K.S.A. 8-143 also provided for the exemption of non self-propelled vehicles used in applying fertilizers. Under K.S.A. 8-128, the general exemption statute, implements of husbandry are already exempt. The definition of implement of husbandry in K.S.A. 8-126 includes a fertilizer spreader, nurse tank or a truck permanently mounted with a spreader used exclusively for dispensing or spreading water, dust or liquid fertilizers or agricultural chemicals. The division believed that the exemption for implement of husbandry in K.S.A. 8-128 would cover the fertilizer vehicles under K.S.A. 8-143 and so the bill draft does not contain that particular provision.

If you have any questions or suggestions for changes in the bill draft, please do not hesitate to contact me.

Sincerely,



Bruce W. Kinzie
Assistant Revisor of Statutes

BWK:sdb

Enclosures