

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE.

The meeting was called to order by Chairperson Gary Hayzlett at 1:30 p.m. on February 25, 2003 in Room 519-S of the Capitol.

All members were present except:

Committee staff present:

Bruce Kinzie, Revisor  
Hank Avila, Legislative Research Dept.  
Mary Galligan, Legislative Research Dept.  
Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Representative Barbara Craft  
Jeremy Leithoff, Junction City Young Commission  
Bob Story, Chief of Police, Junction City

Others attending:

See attached list

**HB 2221 - Regulating traffic; concerning certain lighting equipment**

Chairman Hayzlett opened the hearings on **HB 2221** by introducing Representative Barbara Craft who introduced Jeremy Leithoff. He said many of the youth in Junction City have been ticketed for having neon lights under their vehicles. He feels the tickets are because of the lack of understanding of the lighting equipment. (Attachment 1) "Neon ground effect lighting" means neon tubes placed underneath the motor vehicle for the purpose of illuminating the ground below, creating a halo light effect. The new section (F) of this bill clears up the interpretation for all involved. He concluded that adding decorative lighting under the vehicles is a way for youth to personalize their vehicles and have a little fun and the Youth Commission encouraged support for the new section of **HB 2221**. He stood for questions from the Committee.

The next proponent was the Junction City Chief of Police Bob Story. Chief Story said in Junction City they do not have any problems with this lighting. He said the problem is as Jeremy stated, the lighting issue is seen differently by different officials and in some areas the kids have been getting \$120 tickets and in other areas nothing. Chief Story said they don't see any safety problems, in fact, they even put the neon tubes on their DARE car in Junction City.

There were no additional proponents and no opponents so the Chairman closed the hearings on **HB 2221**.

The Chairman then called for final action on **HB 2221**. Representative Jack made a motion to amend the new section to say the lights are not allowed to flash. Representative Ballard seconded the motion and the motion carried.

Representative Ballou made a motion to pass **HB 2221**, as amended, seconded by Representative Yonally and the motion carried.

Chairman Hayzlett called for final action on **HB 2244**. Representative Jack made a motion to amend this bill as follows: On page 1, in line 36, following "authorized" by inserting ", in cooperation with the secretary of transportation,"; in line 37, by striking "for"; by striking all in line 38; in line 39, by striking all preceding the period and inserting "to regulate the safety of railroad grade crossings on Kansas city, county, township and state roads";

On page 24, in line 27, following "mail" by inserting ", and the operation of motor vehicles used exclusively by organizations operating public transportation systems pursuant to 49 U.S.C. sections 5307,

CONTINUATION SHEET

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE at on February 25, 2003 in Room 519-S of the Capitol.

5310 and 5311";

On page 33, in line 16, by striking "Motor" and inserting "(A) Except for motor vehicles under subparagraph (B), motor"; also in line 16, by striking ", as defined in"; in line 17, by striking all before "of 26,000"; The motion was seconded by Representative Vickrey and the motion carried.

Representative Ballou made a motion to add another amendment to **HB 2244**, as amended, adding an exception for vehicles transporting hazardous materials which require placards, motor vehicles, with a gross vehicle weight rating of 26,000 pounds or less, carrying tools, property or material belonging to the owner of the vehicle and used in repair, building or construction work and such tools, property or material are being transported to or from an active construction site located within a radius of 25 miles of the principal place of business of the motor carrier. Representative Jack seconded this motion and the motion carried to pass this bill out favorably.

The Committee heard a Sub-Committee Report on **HB 2143** and copies of a balloon amendment were distributed to members (Attachment 2). No action was taken at this time.

Chairman Hayzlett announced that **HB 2222** will not be heard. There will be no action taken.

The Chairman announced that **HB 2190** will not be heard today as there are still too many issues unresolved. This bill will remain in committee.

There being no further business the Chairman adjourned the meeting. The next meeting will be Tuesday, March 11, 2003.





# JUNCTION CITY YOUTH COMMISSION

February 25, 2003

Dear Committee Members,

My name is Jason Butler, from the Junction City Youth Commission. We are here to support House Bill 2221.

Over the last several months, people, especially the youth of our community, have received citations from highway patrol, police and sheriff's department officers for having neon lights under our vehicles.

We have talked to several law enforcement officials about what type of decorative lighting is legal and what is not. We have found that it depends on which agency you talk to as to how they interpret what the law states about lighting. For instance, the highway patrol has said that as long as the tubes cannot be seen, it is legal. But officers from the city police have a different interpretation of that, and sheriff's deputies have yet another interpretation.

What we like about the new section (F) is that it clears up the interpretation for all involved, both the people who want the lights and law enforcement officers trying to enforce this law.

We are not asking you to make anything legal that might hurt anyone. Adding decorative lighting under the vehicles is a way for youth to personalize their vehicles and have a little fun.

We also would like you to know that we have consulted with our local law enforcement agencies and have received their support in this endeavor. We have sent letters to the Kansas Peace Officers Association, Kansas Chiefs of Police Association, Kansas Sheriff's Association, and the Highway Patrol asking for their support and input.

We believe that adding this new section will be helpful to law enforcement and the youth of our communities would love it too!

Thank you for your consideration,

A handwritten signature in black ink that reads "Jason Butler". The signature is written in a cursive style with a large, sweeping initial "J".

Jason Butler  
Chair-Junction City Youth Commission

House Transportation  
Date: 2-25-03  
Attachment # 1

HOUSE BILL No. 2143

By Committee on Transportation

1-31

9 AN ACT concerning distinctive license plates for motor vehicles; amend- and 8-1,142 and  
10 ing K.S.A. 8-1,141 and repealing the existing ~~Section~~ sections; also repealing K.S.A. 8-1,149  
11

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

13 Section 1. K.S.A. 8-1,141 is hereby amended to read as follows: 8-  
14 1,141. (a) Any new distinctive license plate authorized for issuance on and  
15 after July 1, 1994, shall be subject to the personalized license plate fee  
16 prescribed by subsection (c) of K.S.A. 8-132, and amendments thereto.  
17 This section shall not apply to any distinctive license plate authorized prior  
18 to July 1, 1994.

19 (b) The director of vehicles shall not issue any new distinctive license  
20 plate authorized for issuance on and after July 1, 1995, unless there is a  
21 guarantee of an initial issuance of at least 500 license plates. ~~The director  
22 of vehicles shall not issue any new distinctive license plate of a type au-  
23 thorized for issuance on and after July 1, 1995, in any year in which the  
24 records of the director of vehicles show that, in the immediately preceding  
25 year, less than 500 of such plates had been issued or the registration  
26 therefor had been renewed, in the immediately preceding calendar year.~~

27 (c) The provisions of this section shall not apply to distinctive license  
28 plates issued under the provisions of K.S.A. 8-1,145, and amendments  
29 thereto.

30 (d) The provisions of subsection (a), shall not apply to distinctive li-  
31 cense plates issued under the provisions of K.S.A. 8-1,146, and amend-  
32 ments thereto, or K.S.A. or 8-1,148, and amendments thereto.

(e) and (f) See Attached  
Sec. 3. K.S.A. 8-1,142 (See Attached)

3 | 33 ~~Sec. 2.~~ K.S.A. 8-1,141 ~~is~~ hereby repealed.  
4 | 34 ~~Sec. 3.~~ This act shall take effect and be in force from and after its  
35 publication in the statute book.

, 8-1,142 and 8-1,149 are

House Transportation  
Date: 2-24-03  
Attachment # 2

House Transportation  
Date: 2-25-03  
Attachment # 2

(e)(1) Any person or organization sponsoring any distinctive license plate authorized by the legislature on and after July 1, 2003, shall submit to the division of vehicles a non-refundable amount not to exceed \$10,000, to defray the division's cost for developing the distinctive license plate.

(2) All moneys received under this sub section shall be remitted by the secretary of revenue to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the distinctive license plate fund which is hereby credited in the state treasury. All moneys credited to the distinctive license plate fund shall be used by the department of revenue only for the purpose associated with the development of distinctive license plates. All expenditures from the distinctive license plate application fee fund shall be made in accordance with appropriation acts, upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the department of revenue.

(f)(1) The director of vehicles shall discontinue the issuance of any distinctive license plate authorized prior to July 1, 2003, and which is subject to the provisions of subsection (b) if:

(A) Less than 500 license plates, including annual renewals, are issued for that distinctive license plate by July 1, 2005; and

(B) less than 250 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period after July 1, 2005.

(f)(2) The director of vehicles shall discontinue the issuance of any distinctive license plate authorized on and after July 1, 2003, if:

(A) Less than 500 license plates, including annual renewals, are issued for that distinctive license plate by the end of the second year of sales; and

(B) Less than 250 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period.

## PROPOSED AMENDMENT

Sec. 3. K.S.A. 8-1,142 is hereby amended to read as follows:  
8-1,142. (a) As used in this section, "educational institution" means:

(1) Any state educational institution under the control and supervision of the state board of regents;

(2) ~~any qualified institution as defined in K.S.A. 72-6107, and amendments thereto~~ municipal university;

(3) any not-for-profit independent institution of higher education which is accredited by the north central association of colleges and secondary schools accrediting agency based on its requirements as of April 1, 1985, is operated independently and not controlled or administered by the state or any agency or subdivision thereof, maintains open enrollment and the main campus or principal place of operation of which is located in Kansas;

~~(3)~~ (4) any community college organized and operating under the laws of this state; and

~~(4)~~ (5) Haskell Indian Nations university.

(b) Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of not more than 20,000 pounds who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one educational institution license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, plus the payment of an additional fee of \$5 for each plate, and the presentation of the annual emblem use authorization statement provided for in subsection (c).

(c) Any educational institution may authorize through its officially recognized alumni association or foundation the use of such institution's official emblems to be affixed on license plates as provided by this section. Any royalty payment to such alumni association or foundation derived from this section,

except reasonable administrative costs, shall be used for recognition of academic achievement or excellence subject to the approval of the chancellor or president of the educational institution. Any motor vehicle owner or lessee may annually apply to the alumni association or foundation for the use of the institution's emblems. Upon annual application and payment to the alumni association or foundation in an amount of not less than \$25 nor more than \$100 as an emblem use royalty payment for each educational institution license plate to be issued, the alumni association or foundation shall issue to the motor vehicle owner or lessee, without further charge, an emblem use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration.

(d) Any applicant for an educational institution license plate may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for the educational institution license plates shall provide the annual emblem use authorization statement provided for in subsection (c). Application for registration of a passenger vehicle or truck and issuance of the license plates under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(e) No registration or educational institution license plate issued under this section shall be transferable to any other person.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (b), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides the annual emblem use authorization statement provided for in subsection (c). If such emblem use authorization statement is not presented at the time of registration, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the educational institution license plates to the county treasurer of



such person's residence.

(g) The director of vehicles shall not issue any educational institution license plates for any educational institution, unless such educational institution's alumni association or foundation guarantees the initial issuance of at least 500 license plates.

(h) The director of vehicles shall discontinue the issuance of an educational institution's license plate authorized under this section if:

(1) Less than 500 educational institution license plates, including annual renewals, are issued for an educational institution by the end of the second year of sales; and

(2) less than 250 educational institution license plates, including annual renewals, are issued for an educational institution during any subsequent two-year period.

~~(h)~~ (i) Each educational institution's alumni association or foundation shall:

(1) Pay the initial cost of silk-screening for such educational license plates; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the alumni association or foundation for information concerning the application process or the status of their license plate application.

~~(i)~~ (j) Each educational institution's alumni association or foundation, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a license plate to be issued under the provisions of this section.