

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:30 a.m. on March 11, 2004 in Room 527-S of the Capitol.

All members were present except:

Senator David Adkins- absent
Senator Edward Pugh - absent

Committee staff present:

Hank Avila, Legislative Research Department
Bruce Kinzie, Revisors of Statutes
Marian F. Holeman, Committee Secretary

Conferees appearing before the committee:

Dennis Wilson, Johnson Co. Treasurer
Senator Mark Taddiken
Diane Albert, Division of Motor Vehicles, KDOR
Lt. John Eichkorn, Kansas Highway Patrol
Matt Moser, Motor Vehicles Div., KDOR
Martha Bean, Medical Review Section, Division of Motor Vehicles, KDOR

Others attending:

See Attached List.

SUB. HB 2143: By Committee on House Transportation, distinctive license plates

Dennis Wilson, Johnson County Treasurer spoke in support of the bill on behalf of the Kansas County Treasurer's Association and Johnson County. They have no problem with the intent of the original bill. However, in reality county treasurers are left to deal with personal and special interest plates that do not sell. This is time consuming and cost prohibitive to continue and this bill will help to solve the problems (Attachment 1). Senator Mark W. Taddiken presented a proposed amendment to include the basic provisions of **SB 68** which the Senate approved last year. This would create the "Helping Schools" distinctive license plate. His amendment would make the provisions conform with provisions in **Sub. HB 2143** (Attachment 2). Diana Albert, Division of Motor Vehicles, KDOR, proposed a technical amendment to remove the use of ampersands and/or any other punctuation marks. The House Committee of the Whole amended this bill to allow usage of the "and" sign. The Division opposes that because it is difficult to distinguish that sign from other letters. Senator Salmans moved to add basic provisions of SB 68 to SUB HB 2143. Senator Schodorf seconded the motion. Motion carried. Senator Salmans moved to adopt the proposed technical amendment. Senator Schodorf seconded the motion. Motion carried. Hearing closed on **SUB HB 2143**.

HB 2235: Sun screening devices, decals, exceptions

Staff described the bill. Existing law allows a 35% darkening of car windows. Briefly, it would allow persons with a medical condition requiring a darker tint on car windows to apply for a special permit for this. The House amended the bill to allow law enforcement, mainly canine units, to do the same thing in order to keep the dogs more comfortable when closed inside the vehicle. Lt. John Eichkorn, Kansas Highway Patrol testified they would support this bill for the proposed amendments regarding canine units as well as the Division of Motor Vehicles request regarding placement of the decal (Attachment 3). Matt Moser, Division of Motor Vehicles, introduced Martha Bean, Head of the Medical Review Section, Division of Motor Vehicles, KDOR to address the issue of rare medical issue. She advised the Division would consider this a bonafide handicap. The medical and vision conditions in this issue would be the rarest of the rare. They presented a balloon amendment which they feel would assist in keeping abuse to a minimum. It simply changes the word "medical" to "medical/vision", or "medical or vision" throughout the bill. There are a few rare visual conditions they do not wish to exclude and then come back later to

CONTINUATION SHEET

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE at 8:30 a.m. on March 11, 2004 in Room 527-S of the Capitol.

include them. Also insert on line 20, after special decal, "and letter of authorization." Because, these are extremely rare conditions they believe it calls for the higher level of expertise provided by a licensed physician, ophthalmologist or optometrist and wished to add that language, striking the language on line 23 through 27. This language is basically from the handicapped placard bill. Discussed possible abuses and new technology for checking the darkness of vehicle windows; also the circumstances under which the "letter of authorization" would be used. Questions were raised regarding comparable "handicapped" placard usage. Obviously, it needs to be made clear that the decal and signed authorization, as well as proper identification, must be available for the person in the car. Questions were raised regarding problems with darker glasses on vehicles. Several problems are involved in the identification issue. Some believe the decal and letter should be with the vehicle, regardless of the occupants. When a vehicle leaves Kansas, it must comply with the laws in the state it is in. She had no written testimony. There were no additional conferees on the bill. Time constraints did not allow further debate. Hearing closed.

The meeting adjourned at 9:30 a.m.

The next meeting is scheduled for March 16, 2004

SENATE TRANSPORTATION COMMITTEE
GUEST LIST

DATE: March 11, 2004

NAME	REPRESENTING
Diane Albert	KDOR
Sen Mark Todd	senate
Matthew Moger	KDOR
Dennis Wilson	Johnson Co. Treasurer
John Eichhorn	HWP
Martha Bean	KDOR
Cameron Aldritt	KDOR



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March 8, 2004

To: Senator Les Donovan
Chairman, Senate Transportation Committee
and Committee Members

From: Dennis Wilson
Johnson County Treasurer

TESTIMONY ON BILL HB 2143

Chairman Donovan and Committee:

Thank you for this opportunity to testify on the behalf of the Kansas County Treasurer's Association and Johnson County. The Association and myself support HB 2143 and would ask that your committee support this bill also.

This bill is NOT designed to stop the sale of any personal license plates or stop special interest groups from seeking the legislature's approval. The current method that the Legislature has for handling the special plate needs is fine with our association, which states that 500 plates must be sold prior to the state printing and shipping the plates to all county motor vehicle departments for distribution, but needs to add that they will sell and maintain 500 plates to keep this privilege.

The association has noticed that the intent and the spirit of the law have been violated by some groups that now have special license permission. These groups do not actually purchase their required 500 plates, resulting in excessively high inventories for all counties. It is time consuming and cost prohibitive to print, receipt, store, train staff on the issuance requirements and maintain special plates that will sit there for years and never be sold.

We want to note that this bill in no way will affect the military plates such as Purple Heart, POW, and Veterans. It will affect college institutions and special interest groups like Ag in the classroom as well as others.

The House offered up a very workable solution in the bill that is before you and we would again ask for your committee to pass this bill out favorably.

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- SEN. TRANSPORTATION COMMITTEE" -
DATE 03-11-04
ATTACHMENT: 1



TOPEKA

SENATE CHAMBER

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 SENATOR, 21ST DISTRICT
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 NEMAHA, WASHINGTON, RILEY
 AND A PORTION OF
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Testimony in support of HB 2143 - Distinctive License Plates, Regulations

by Senator Mark W. Taddiken

March 11, 2004

Mr. Chairman, thank you for the opportunity to speak today on HB 2143. I am supportive of the concepts presented in HB 2143 as they address some of the concerns that have been expressed regarding distinctive license plates. My real purpose for being here is to ask that you consider an amendment to include the basic provisions of SB 68 which you approved of last year.

SB 68 would create the "Helping Schools" distinctive license plate. SB 68 came through this committee and passed the senate 32 to 7. It passed out of the House Transportation committee unamended. Upon reaching the full house it was sent back to committee in large part because of the issues addressed in HB 2143.

My amendment would make the provisions of the "Helping Schools" distinctive license plate conform with the provisions of HB 2143 as it was received by this committee. If enacted, this tag would create an additional source of funding for classroom supplies and equipment in our K-12 schools. All too often we hear about classrooms that have inadequate supplies or of teachers dipping into their own pockets to buy needed classroom materials. The creation of the Helping Schools license plate would help change that situation.

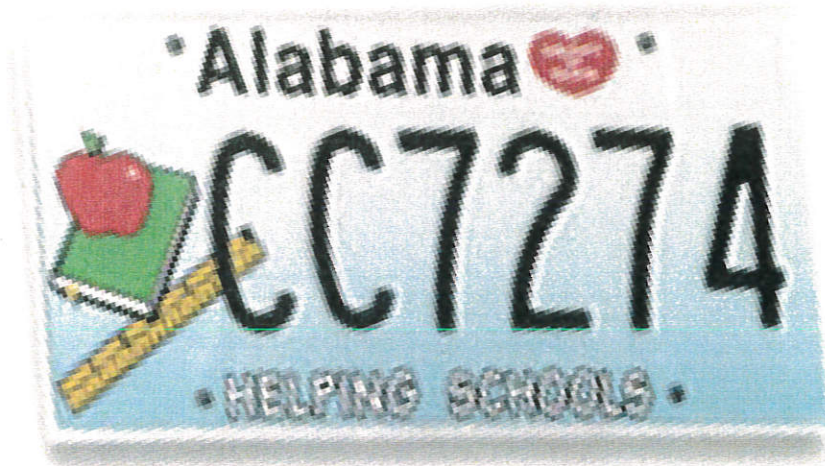
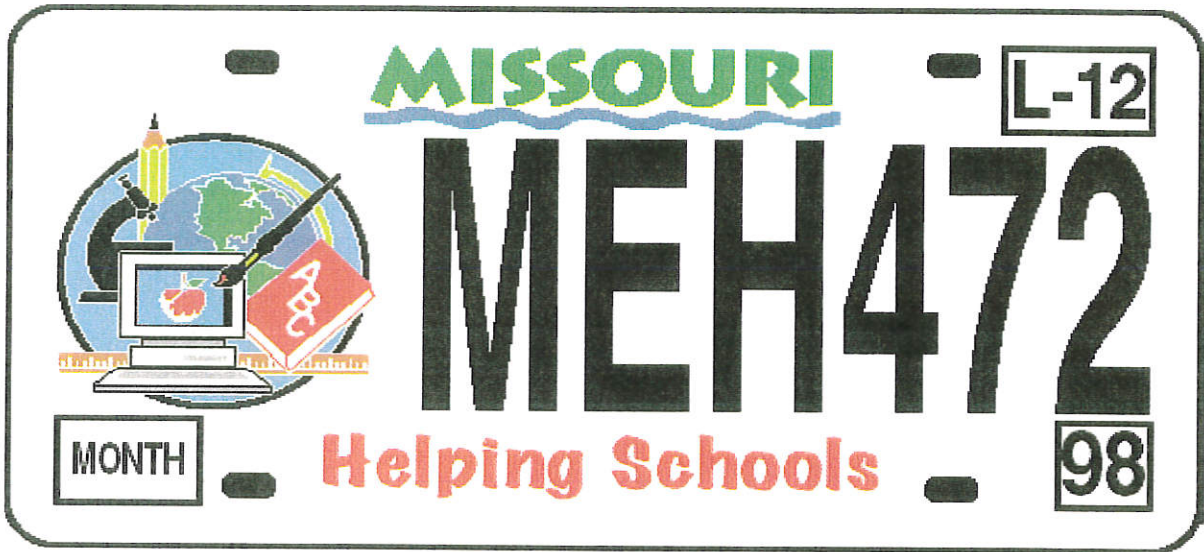
The provisions of this amendment are similar to other license plate statutes. It would cost \$40 to purchase the tag and at least 500 would have to be purchased. Also, \$10,000 would have to be submitted to the division of motor vehicles to defray the divisions cost of developing the plate. The purchaser of the tag would be able to designate which school district would receive the proceeds allowing flexibility in the process. The State Board of Education would receive reimbursement for administrative costs.

SENATE TRANSPORTATION COMMITTEE
 — DATE 03-11-04 —
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The creation of the Helping Schools plate certainly would not alleviate the concerns about school funding that we face, but it could provide valuable assistance. The state of Alabama sells more than 63,000 of these plates and raises more than three quarters of a million dollars for their schools each year.

Mr. Chairman, we have the opportunity here today to start the process in providing our schools much needed classroom supplies and equipment with a minimum cost to the State of Kansas. I ask that you give this proposed amendment favorable action and allow Kansas drivers to step forward and help our schools.





KANSAS

WILLIAM R. SECK, SUPERINTENDENT

KANSAS HIGHWAY PATROL

KATHLEEN SEBELIUS, GOVERNOR

**Testimony on HB 2235
to
Senate Transportation Committee**

**Presented by
Lieutenant John Eichkorn
Kansas Highway Patrol**

March 11, 2004

Good morning, Mr. Chairman and members of the committee. My name is Lieutenant John Eichkorn, and I appear before you on behalf of Colonel William Seck and the Kansas Highway Patrol to comment on HB 2235.

Under current law, sun screening devices cannot limit total light transmission into a vehicle to less than 35 percent. HB 2235 proposes to allow a sun screening device that transmits less than 35 percent of total light to any Kansas resident who has a medical condition that requires one. The individual would submit a statement from a medical practitioner (listed in the bill) in order to receive a special decal from the director of vehicles. The bill would also allow anyone who is responsible for transporting a person with such a medical condition to have such a sun screening device and decal.

If it is the intent of this committee to exempt individuals with medical conditions from the sun screening law, a change such as that described in HB 2235 would be necessary. Currently, there are no exceptions to the law, and violation of its provisions is a misdemeanor.

In reviewing HB 2235 and K.S.A. 8-1749a, the Patrol supports two amendments to the bill. First, we support the exemption of "publicly owned police motor vehicles" in Sec. 2(a (3)). Police service dogs, or K-9s, are often kept in patrol cars during a tour of duty. Tinted windows (tinted darker than currently allowed by law) help ensure the dogs do not overheat.

Second, Sec. 1(b) has been amended to read: "Such decal shall be attached to the rear bumper of the motor vehicle *and shall be maintained free from foreign materials and in a condition to be clearly legible.*" This is the same wording used in K.S.A. 8-133 regarding proper display of license plates.

The Patrol appreciates the opportunity to address you today. I will be happy to stand for any questions you might have.

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SENATE TRANSPORTATION COMMITTEE

DATE 03-11-04

ATTACHMENT: 3

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