

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on January 27, 2005 in Room 519-S of the Capitol.

All members were present except:

Representative Jerry Henry- excused
Representative Jeff Jack- excused

Committee staff present:

Hank Avila, Kansas Legislative Research
Chris Courtwright, Kansas Legislative Research
Bruce Kinzie, Revisor of Statutes Office
Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Representative Bob Bethell

Others attending:

See attached list.

Chairman Hayzlett called for bill introductions. Representative Long made a motion to introduce a bill that would restrict the use of a wireless telephone while driving. Representative Ballard seconded the motion and the motion carried.

The Chairman recognized Carmen Alldritt, Director, Motor Vehicle Div., KS Department of Revenue, who introduced a bill to clarify language from 2003 legislation and create the hazmat fee fund. A motion was made by Representative Long to allow the introduction of the bill, Representative Yonally seconded the motion and the motion carried.

Chairman Hayzlett recognized Brad Smoot, appearing on behalf of Explore Information Services, L.L.C., a subsidiary of The Schwan Food Company of Salina KS. Mr. Smoot requested that the committee introduce a bill to allow access to certain public information contained on Kansas motor vehicle records, requiring an amendment to KSA 74-2012. According to Mr. Smoot, this information will help insurers identify undisclosed youthful drivers and generate some additional revenues for the State from the sale of these records. Representative Ballard made a motion to accept this bill introduction, Representative Humerickhouse seconded and the motion carried.

There being no additional requests for bill introductions the Chairman opened hearings.

HB 2090 - Failure to show proof of insurance, citation issued to owner

Chairman Hayzlett opened the hearings on **HB 2090**. The Chairman introduced Representative Bob Bethell. According to Representative Bethell (Attachment 1) current law states that the owner of a vehicle in order to license that vehicle must show proof of insurance. However, if a non-owner driver of that vehicle is stopped for another infraction and cannot show proof of insurance, the driver is cited for the violation. **HB 2090** will place the accountability and responsibility of having insurance clearly on the owner of the vehicle - not the driver. Representative Bethell answered questions from the Committee.

There were no other proponents and no opponents.

Chairman Hayzlett closed the hearing on **HB 2090**.

HB 2109 - Child passenger safety, seat belts manufactured after 1968.

The Chairman opened the hearings on **HB 2109**. Chairman Hayzlett recognized Representative Bob Bethell. Representative Bethell said he was requesting that the law of Kansas be clarified with the specific language of **HB 2109** concerning the use of seat belts in vehicles older than 1968 (Attachment 2). He said that in 1968 on January 1, federal law was enacted to require all vehicles assembled from that time on be equipped with

CONTINUATION SHEET

MINUTES OF THE House Transportation Committee at 1:30 P.M. on January 27, 2005 in Room 519-S of the Capitol.

seat belts. **HB 2109** is a clarification that will allow owners of vintage vehicles to operate them on the highways of Kansas without fear of being cited for not having seatbelts in the vehicle. The addition of seatbelts to some of these vehicles would not only be difficult but would reduce the value of the vehicle due to the modification. Representative Bethell stood for questions from the Committee. One of the questions concerned the date if it should remain January 1st, 1968 or the bill should be amended to state the date of manufacture. After some discussion it was decided the bill should not be amended because it mirrors federal law.

There were no other proponents and no opponents. The Chairman closed the hearing on **HB 2109**.

The Chairman called for Final Action on **HB 2090**. Representative O'Malley moved to pass this bill out favorably. Representative Humerickhouse seconded the motion and the motion carried.

Chairman Hayzlett called for Final Action on **HB 2109**. Representative Yonally made a motion to pass this bill out favorably, seconded by Representative Ballard, and the motion carried.

Representative Ballard made a motion to approve the Minutes of the Committee Meetings of January 18 and 19, 2005. This motion was seconded by Representative George and the motion carried.

There was a short discussion on touring the KDOT facilities. The Committee agreed it was something they would like to do so a tour will be arranged.

There being no further business the Chairman adjourned the meeting. The next meeting will be on Wednesday, February 1, 2005, in Room 519-S.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 01-27-05

| NAME | REPRESENTING |
|---------------------|----------------------|
| Janelle Nuessen | Hain Law Firm |
| Kimberly A Thompson | Scanlon ENGINEERING |
| CARMEN ALDRIT | KDOR |
| DIANE ALBERT | " |
| Bob Bethell | House |
| Joshua Bender | Intern. Rep. Bethell |
| Ken Gudenkauf | KDOT |
| Richard Samways | Kenny & Assoc. |
| Richard Wilborn | Forums & House |
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HOUSE TRANSPORTATION COMMITTEE

DATE Jan ²⁷ ~~19~~, 2005

| NAME | REPRESENTING |
|---------------|------------------------|
| Joshua Bender | Intern Rep. Bethell |
| Tom Whitaker | KS Motor Carriers Assn |
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COMMITTEE ASSIGNMENT
CO-CHAIRMAN: LONG TERM CARE T. BURCE
MEMBER: APPROPRIATIONS
HEALTH & HUMAN SERVICES
SOCIAL SERVICES BUDGET

STATE CAPITOL—ROOM 175-W
TOPEKA, KS 66612-1504
785-296-7616

TOPEKA

Testimony for HB 2090

Good afternoon Chairman Hayzlett and members of House Transportation, I am representative Bob Bethell.

I am here today to show support for HB 2090 a constituent of mine in the 113th District asked me to introduce this legislation due to a member of his family receiving a citation for driving a vehicle with out insurance.

Current law states that the owner of a vehicle in order to license that vehicle show proof of insurance. However if a non owner driver of that vehicle is stopped for another infraction and cannot show proof of insurance the driver is cited for the violation.

HB 2090 will place the accountability and responsibility of having insurance clearly on the owner of the vehicle not the driver.

Thank you Mr. Chairman I will stand for questions.

House Transportation
Date: 1-27-05
Attachment # 1

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STATE CAPITOL—ROOM 175-W
TOPEKA, KS 66612-1504
785-296-7616

TOPEKA

Testimony for HB 2109

Good afternoon Chairman Hayzlett and members of House Transportation, I am representative Bob Bethell.

I am here today to show support for HB 2109 as a collector of antique vehicles and one who enjoys the authenticity of the older vehicle I am requesting that the law of Kansas be clarified with the specific language of HB 2109 concerning the use of seat belts in vehicles older than 1968.

In 1968 on January 1, federal law was enacted to require all vehicles assembled from that time on be equipped with seat belts.

HB 2109 simply states that condition. This clarification will allow owners of vintage vehicles to operate them on the highways of Kansas with out fear of being cited for not having seatbelts in the vehicle. The addition of seatbelts to some of these vehicles would not only be difficult but would reduce the value of the vehicle due to the modification.

Thank you Mr. Chairman I will stand for questions.

House Transportation
Date: 1-27-05
Attachment # 2

Bob Bethell