

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on March 2, 2006 in Room 519-S of the Capitol.

All members were present except:

Representative Barbara Ballard- excused

Committee staff present:

Hank Avila, Kansas Legislative Research

Bruce Kinzie, Revisor of Statutes Office

Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Senator Phillip Journey

Don McNeely, President, KS Automobile Dealers Association

Others attending:

See attached list.

Chairman Hayzlett opened the hearing on **SB 346**.

SB 346 - Regulating traffic, television-type equipment, operation thereof

Chairman Hayzlett recognized Senator Journey as the first proponent for **SB 346**. According to Senator Journey (Attachment #1) current law says that no motor vehicle can be equipped with a television-type receiving equipment located where the screen is visible from the driver's seat. He said **SB 346** amends KSA 8-1748 so as to make only the operation of the screen rather than possession a violation of state statute.

There were no other proponents and no opponents of this bill. After questions were answered, the Chairman closed the hearing on **SB 346**.

The Chairman opened hearings on **SB 496**.

SB 496 - Notice of security interest, vehicles

Chairman Hayzlett recognized Don McNeely, KADA President, as the first proponent for **SB 496**. According to Mr. McNeely (Attachment #2) this bill amends KSA 8-135 to increase the period of time which a creditor can perfect a security interest in a motor vehicle from 20 to 30 days. Mr. McNeely said **SB 496** conforms Kansas law with the 2005 revision to the Federal Bankruptcy Code.

There were no other proponents and no opponents. After questions were answered Chairman Hayzlett closed the hearing on **SB 496**.

The Chairman opened **SB 346** to the Committee for comments or actions. Representative Olson made a motion to pass this bill favorably out of Committee, seconded by Representative George and the motion carried.

The Chairman also desired to work **SB 496** which he opened to the Committee. Representative George made a motion to favorably pass this bill out of Committee, seconded by Representative Olson and the motion carried.

Chairman Hayzlett drew the Committee's attention to the Minutes of the February 8 and 9, 2006, Committee meeting. There was a name correction made on the February 9th Minutes. Representative Olson made a motion to approve the Minutes as corrected, Representative Ruiz seconded the motion and the motion carried.

There being no further business, the meeting was adjourned. The next meeting will be on March 8, 2006, at 1:30 p.m. in Room 519-S.

HOUSE TRANSPORTATION COMMITTEE

DATE 3-2-06

NAME	REPRESENTING
Sara Turpin	Rep. Henry
Whitney Damm	Ks Automobile Dealers Assn
Don	
San Phil Journey	26th
Julia Spurr	Rep. Menghini int.
Stephanie Champagne	Stephanie Champagne
Philip Bradley	Ks. Licensed Beverage Assn.
Ken Gudenkauf	KDOT
Tom Whitaker	Ks Motor Carriers Assn

SENATOR PHILLIP B. JOURNEY

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TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS

MEMBER: SPECIAL CLAIMS AGAINST THE STATE
(JOINT), CHAIR
HEALTH CARE STRATEGIES
JUDICIARY
PUBLIC HEALTH AND WELFARE
TRANSPORTATION

CORRECTIONS AND JUVENILE JUSTICE
OVERSIGHT (JOINT)

SOUTH CENTRAL DELEGATION, CHAIR

**Testimony for the Kansas House Transportation Committee
Presented March 2nd, 2006, in Support of Senate Bill #346**

It is a privilege and an honor to have the opportunity to address the House Transportation Committee and to offer comments in support of Senate Bill #346.

Senate Bill #346 is a simple piece of legislation which addresses the circumstances where technology has outpaced current law. It amends K.S.A. 8-1748 repealing the existing section and replacing it with the language in the bill.

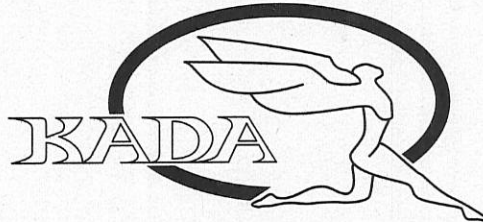
Current law says that no motor vehicle can be equipped with a television-type receiving equipment located where the screen is visible from the driver's seat. Current technology being sold every day in Kansas includes not just the video screens we see in mini-vans that are appropriately placed under current law behind the drivers's seat, but also screens that are installed in the dash which are viewable by the driver. Many after-market entertainment systems have screens that retract inside the dash and pop out with operation. Senate Bill #346 amends that statute so as to make only the operation of the screen rather than possession a violation of state statute.

I would ask the committee to favorably recommend this legislation for passage as it more accurately represents our circumstances and technologies.

Respectfully submitted,

Senator Phillip B. Journey
26th District

House Transportation
Date: 3-2-06
Attachment # 1



KANSAS AUTOMOBILE DEALERS ASSOCIATION

March 2, 2006

To: Chairman Gary Hayzlett
and the Members of the House Transportation Committee

From: Don L. McNeely, KADA President

Re: SB 496 – Certificates of Title; Notice of Security Interest

Chairman Hayzlett and Members of the Committee:

Good afternoon, my name is Don McNeely, and I serve as President of the Kansas Automobile Dealers Association. Mr. Whitney Damron, KADA's Legislative Counsel, also accompanies me this morning. I appear before you today in support of SB 496, which amends K.S.A. 8-135 to increase the period of time which a creditor can perfect a security interest in a motor vehicle from 20 to 30 days.

This is KADA's third request since 1997 to extend this time period for which to process an application for lien perfection and have that lien noted upon the vehicle's title to correspond to like amendments to the Federal Bankruptcy Code.

Senate Bill 496 simply conforms Kansas law with the 2005 revision to the Federal Bankruptcy Code. Currently, Kansas law, by operation, effectively cuts off 5 days which the bankruptcy code would essentially allow if state law did. The proposed amendment would avoid some of the bankruptcy losses which have occurred due to the lien perfection being made outside of the current 20-day period as provided by Kansas law, but within the 30-day time period allowed under federal law. The amendment would allow both the creditor, as well as the Division of Vehicles additional time in which to process the transaction and perfect the security interest upon the vehicle's title. Additionally, it only makes sense to have uniform law with respect to the bankruptcy courts, which operate in our state.

On behalf of the Kansas Automobile Dealers Association, I would like to thank the Committee for allowing me to appear this afternoon, and I respectfully request the Committee's approval of Senate Bill 496.

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House Transportation
Date: 3-2-06
Attachment # 2