

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on March 7, 2006 in Room 519-S of the Capitol.

All members were present except:

Representative Barbara Ballard- excused
Representative Jerry Henry- 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 Janis Lee
Larry Baer, Assistant General Counsel, League of KS Municipalities
Bill Miller, Mid-West Crane & Rigging, Olathe, KS
Greg Polk, Polk Crane Co., Lawrence, KS
Martha Neu Smith, Executive Director, KS Manufactured Housing
Carmen Alldritt, Director, Motor Vehicle Div., KS Department of Revenue
Alan Anderson, Driver's License Bureau, Department of Revenue
Phil Bradley, Representing KS Licensed Beverage Association
Amy Campbell, Representing KS Association of Beverage Retailers

Others attending:

See attached list.

Chairman Hayzlett opened the meeting with a hearing on **SB 413**.

SB 413 - Regulating traffic, allowing certain golf carts

Chairman Hayzlett recognized Senator Janis Lee as the first proponent. According to Senator Lee (Attachment #1) **SB 413** would allow municipalities to implement local ordinances to regulate the operation of properly equipped golf carts on streets and roads in their communities. This bill would continue the current exemption from registration for golf carts operated on streets but would require the driver to have a valid drivers license.

There were no other proponents of this bill and no opponents. The next conferee, Larry Baer, League of KS Municipalities, was listed as neutral.

According to Mr. Baer (Attachment #2) if enacted, **SB 413** would redefine a golf cart as a motor vehicle and they feel that as a "motor vehicle" it would require that anyone operating a golf cart on a public street would be required to have a valid drivers' license and that the owner would be required to maintain liability insurance.

There were no other conferees on this bill so after questions were answered Chairman Hayzlett closed the hearing on **SB 413**.

SB 374 - Registration of vehicles, self-propelled cranes

Chairman Hayzlett opened the hearing on **SB 374** and recognized Bill Miller, Mid-West Crane & Rigging, as the first proponent.

According to Mr. Miller (Attachment #3) this amendment will clear up the confusion that has disrupted their crane rental business and cost them and others a great deal of money. He said the confusion created a hostile situation with the Kansas Highway Patrol regarding the exemption for motor cranes from registration and licensing requirements for motor vehicles. Mr. Miller said the exemption was granted in the original legislation passed in 1933.

CONTINUATION SHEET

MINUTES OF THE House Transportation Committee at 1:30 P.M. on March 7, 2006 in Room 519-S of the Capitol.

The next proponent was Greg Polk, Polk Crane Service, Inc. According to Mr. Polk (Attachment #4) their crane company lifts and sets air conditioning units, roof trusses and structural steel. He said they do not deliver or carry property that belongs to others, that the only things transported on the bed of the crane are materials needed in the operation of the crane. He said their crane insurance does not cover transporting equipment owned by others on the highway.

Chairman Hayzlett drew the Committee's attention to the written testimony submitted by Allen Gilmore, President, Gilmore Crane Corporation. (Attachment #5)

The last proponent was Martha Neu Smith, KS Manufactured Housing Association. (Attachment #6) According to Ms. Smith, their Association would like to express support for **SB 374**. She said the new language clarifies which self-propelled cranes are included in the exception provisions of KSA 8-128. She said it also adds language that prohibits self-propelled cranes from transporting any property, except what is required for the crane itself.

There were no other proponents so after questions were answered, the Chairman called for opponents to **SB 374**. He recognized Carmen Alldritt, Director, Division of Vehicles. (Attachment #7) According to Director Alldritt, the Dept. Of Revenue introduced this bill to give a clear and more current definition of a self-propelled crane. However, as amended by the Senate Committee, this bill now contains a fiscal impact to the state. She said the State Highway Fund would be drastically reduced.

There being no other opponents, after questions were answered, the Chairman closed the hearing on **SB 374** and opened hearings on **SB 554**.

SB 554 - EXPIRATION OF DRIVERS LICENSES FOR PEOPLE UNDER 21 YEARS OF AGE

The first proponent for **SB 554** was Alan Anderson, Driver's License Bureau, Dept. of Revenue. According to Mr. Anderson, (Attachment #8) licenses issued to drivers under 21 are currently issued in a vertical format. This bill would require all drivers under 21 to renew their license on their 21st birthday and be issued a horizontal format license. They will then renew for a full six year license.

The next proponent for **SB 554** was Philip Bradley, Executive Director, KS Licensed Beverage Association. (Attachment #9) Mr. Bradley said the reason to have a differently appearing card for those under 21 is to reduce the accessibility of alcohol to underage persons. This bill helps in several ways; 1) immediate and obvious recognition that this is an underage card, 2) that underage persons could not pass on or sell their cards to others when they become 21 and replace their card, and 3) assuring that no person over 21 has a valid vertical card.

The last proponent for this bill was Amy Campbell, Executive Director, KS Association of Beverage Retailers. (Attachment #10) Ms. Campbell said their members support the portion of **SB 544** relating to the mandatory renewal of an individual's drivers license upon reaching the age of twenty-one. She said Kansas has taken specific steps to verify the identity and the age of individuals who get a drivers license and this bill provides a key step forward.

There were no other proponents and no opponents so Chairman Hayzlett closed the hearing on **SB 544**.

It was the Chairman's desire to work **SB 544** so he opened it up to the Committee for questions, comments and motions. Representative Treaster made a motion to pass this bill favorably out of Committee, the motion was seconded by Representative Yonally and the motion carried.

Representative Hayzlett drew the Committee's attention to the Minutes of the February 15th and 16th, 2006 meetings. Representative Olson made a motion to approve the Minutes as presented, seconded by Representative Long and the motion carried.

There being no further business before the Committee, 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 GUEST LIST

DATE: 3-7-06

NAME	REPRESENTING
Janis [unclear]	Senator 36 th Dist
Carmed Accident	KDOR
Terry Mitchell	KDOR
Alan Anderson	KDOR
Marcy [unclear]	KDOR
James Keller	KDOR
Diane Albert	KDOR
[unclear]	Jewell Co.
Jason Shipley	Jewell Co.
Chelsea Windmiller	Jewell Co.
Josh Shoky	Jewell Co.
Brandon Standley	Jewell Co.
Allen E Gilmore	GILMORE CRANE CORP.
Eric [unclear]	POIK CRANE SERVICE
John Eichkorn	KHP
David R. Colbin	KDOR
Tom Burgess	Midwest Crane & Rigging
Bill Miller	MIDWEST CRANE & RIGGING

HOUSE TRANSPORTATION COMMITTEE

DATE 3-7-06

NAME	REPRESENTING
Philip Bradley	KS Licensed Beverage Assn.
Larry R Bae	LKW
Tom Whitaker	KS Motor Carriers Assn.
Ken Gudenkauf	KDOT
Martha Ann Smith	KMHA
Derek Hein	Hein Law Firm
Doug Lawrence	POLK CRANE COMPANY
Allen E Shure	GILMORE CRANE CORP

COMMITTEE ASSIGNMENTS

RANKING MINORITY MEMBER: ASSESSMENT & TAXATION
RANKING MINORITY MEMBER: UTILITIES
RANKING MINORITY MEMBER: EDUCATION
MEMBER: AGRICULTURE
NATURAL RESOURCES
CAPITOL RESTORATION
JOINT COMMITTEE ON
INFORMATION TECHNOLOGY

SENATOR JANIS K. LEE
ASSISTANT MINORITY LEADER
STATE SENATOR, 36TH DISTRICT
ELLIS, HODGEMAN, JEWELL,
MITCHELL, OSBORNE, PAWNEE,
PHILLIPS, RUSH, RUSSELL
AND SMITH COUNTIES
2032 90TH RD.
KENSINGTON, KANSAS 66951
(785) 476-2294 HOME
(785) 296-7366 TOPEKA
jlee@ink.org



TOPEKA

SENATE CHAMBER

House Transportation Committee
March 7, 2006
Testimony of SB 413

Dear Chairman Hayzlett and House Transportation Committee Members;

Thank you your consideration of SB 413.

SB 413, would allow municipalities to implement local ordinances to regulate the operation of properly equipped golf carts on streets and roads in their communities.

SB 413 came about as a result of requests from constituents in my area who were familiar with a similar law in Arizona. These constituents were senior citizens from communities where we have no public transportation system. They feel that allowing the use of appropriately equipped golf carts on the street in their communities would enhance the ability of some of our citizens to continue living in their own homes longer.

The bill defines a golf cart in new section 1, page one lines 15 thru 19. Furthermore the bill limits, for the purpose of this bill, their use to streets posted with a speed limit of 30 MPH or less and prohibits their use on any highway except for the crossing of such a highway.

Page one lines 27 thru 31 describe the equipment required for a golf cart to be eligible to be operated on streets and the hours during which a golf cart may be operated on the streets.

Page eight line 4 adds golf cart to the list of vehicles which would be required to display a slow-moving vehicle emblem when operated on a street.

Finally the bill would continue the current exemption from registration for golf carts operated on streets but would require the driver to have a valid drivers license.

House Transportation
Date: 3-7-06
Attachment # 1

Again SB 413 provides for local determination as to whether the use of golf carts is appropriate in their community.

While I do not anticipate that such an ordinance would be appropriate in one of our larger cities, this bill could be very helpful in our more rural communities where indeed we have no public transportation system. (I do not envision golf carts on Kellogg in Wichita nor on Topeka Ave. in Topeka.)

Thank you for your consideration and I am pleased to stand for questions.



League of Kansas Municipalities

Date: March 7, 2006
To: House Transportation Committee
From: Larry R. Baer
Assistant General Counsel
Re: SB 413
Neutral Testimony With Comments

Thank you for allowing me to appear before the Committee today and comment on SB 413.

The League of Kansas Municipalities neither supports nor opposes SB 413. We are sure that we have member cities on both sides of the matter. We do applaud the fact that the proposed legislation allows for local control. Local control permits each of the 627 cities in Kansas to set their own policy on the operation of golf carts on public streets.

If enacted SB 413 would redefine a golf cart as a motor vehicle. Therefore, it is our opinion, that as a "motor vehicle" it would require that anyone operating a golf cart on a public street would be required to have a valid drivers' license, as provided in K.S.A. 8-235, and that the owner would be required to maintain liability insurance in accordance with K.S.A. 40-3101, *et seq.* Although current state law would not require the installation and usage of seat belts or the usage of child passenger safety restraining systems, it is believed that the installation and usage of these safety devices should be required.

It is our experience that there is statewide confusion as to what is or isn't a "motor vehicle" and when a drivers' license and liability insurance is or isn't required any time that we get away from the traditional notion of motor vehicle. Therefore, we would ask that the Committee clarify that the legislative intent of SB 413 is to require drivers' license and liability insurance before golf carts could be operated on a public street or highway.

As we opined in our testimony on HB 2740 (regulation of ATVs), perhaps it is time to go further and clarify the status of the myriad of other motorized vehicles of a similar nature, i.e. motorized skateboards, mini-scooters, "pocket-rockets", and the like. This clarification should address whether or not such vehicles are motor vehicles, what safety equipment is required, when, if any, registration is required, and what licensing and age requirements would be imposed if operation is to be permitted on public streets and highways. In any event, just as SB 413 does, we would ask that you continue to allow local control and not preempt the ability of locals to regulate the operation of such vehicles.

Thank you for allowing the League for raising these questions.

House Transportation
Date: 3-7-06
Attachment # 2

MIDWEST CRANE AND RIGGING, INC.

15585 S. KEELER • P.O. BOX 970 • OLATHE, KANSAS 66051-0970
(913) 747-5100 • FAX (913) 764-0102

March 7, 2006

To: The House Transportation Committee
Re: SB-374

Chairperson Hayzlett, Vice-chairperson Faber, and Committee Members

My name is William R. Miller. I am president of Midwest Crane and Rigging Co. We are located in Olathe, Kansas with offices in Topeka and St. Joseph, Missouri.

I am here to speak in favor of SB-374 as amended. This amendment will clear up the confusion that has disrupted our crane rental business and cost us and others a great deal of money. This confusion has created a hostile situation with the Kansas Highway Patrol regarding the exemption for motor cranes from registration and licensing requirements for motor vehicles

This exemption was granted in the original legislation passed in 1933. These machines are off road equipment that use the highways only to get from the equipment yard to the job site or from one site to another. They are not used to transport any thing other the equipment necessary for the hoisting operation of the crane and the out rigger pads to stabilize the crane.

This bill will clarify the intent of the original bill and let us continue to operate our business as we have been doing for the last 25 years.

This will also allow us to remain competitive with Missouri that also has the same exemption and has reciprocity with Kansas. Removing the exemption would force some to relocate to Missouri in order to be competitive. This would cost Kansas the property taxes that are paid on machinery and equipment.

I urge your support for SB-374 as amended.

William R. Miller
President
Midwest Crane & Rigging Co.

House Transportation
Date: 3-7-06
Attachment # 3

Topeka Branch
711 1/2 24 Hwy
785-233-0400



St. Joseph Branch
1804 S. 8th St.
816-279-7878

POLK CRANE SERVICE, INC.

P.O. Box 34
Lawrence, Ks. 66044
1-785-843-1181
Fax 1-785-843-1872

March 7, 2006

To: Chairman Hayzlett
Transportation Committee

Re: SB 374

Polk Crane Service is a small family oriented crane erection service. It is owned by Mike and Greg Polk and currently has three employees. Our crane erection company lifts and sets air conditioning units, roof trusses and structural steel.

The items we set are always on location at the job site when we arrive. We do not deliver or carry property that belongs to others. The only things transported on the bed of the crane are materials needed in the operation of the crane.

I have attached a photo of our Altec crane. As you can see with the rigging loaded there is no available space to haul other's equipment. We do not and never will haul for others, because our crane insurance does not cover transporting equipment owned by others on the highway.

This crane has no other function but to lift and place heavy loads at construction sites. Yet because of the fact that it has a VIN rather than a product identifier, and a bed it could be treated differently than cranes which have identical uses and capabilities.

If required to register and display license tags we would be forced to increase our hourly rates. Many of our jobs involve single-family dwellings in our community. The increase would eventually be passed on to the homeowner as we recently did with diesel fuel. This increase would also affect our commercial accounts, which would immediately pass it thru to the end user.

Polk Crane Service supports Senate Bill 374 as written with the amendments suggested by our industry, this clarifies that any crane which is not tagged carrying construction equipment or materials not associated with the operation of the crane would be in violation of the law and subject to citations.

This draws a clear distinction that allows law enforcement to act when they see a violation and makes clear to operators the circumstances in which cranes must be tagged and registered.

Sincerely,



Greg Polk

House Transportation
Date: 3-7-06
Attachment # 4



4-2

Gilmore Crane Corporation
12269 S Road
Hoyt, KS 66440
785-357-1108

March 6, 2006

Subject: SB 374

Dear Chairman Hayzlett and members of the House Transportation Committee:

In the Senate Transportation Committee, I opposed SB 374 because it would have reversed current public policy regarding tax exemptions for construction cranes.

The committee amended the original bill, in order to make it easier for the Highway Patrol to properly identify self propelled construction cranes, which are exempt, and delivery vehicles which have some lifting capacity, which are not. As amended, any crane carrying materials other than those required for the operation of the crane would not qualify for the exemption. This language would make it clear that any vehicle carrying construction materials or being used to deliver materials over the highway would have to be tagged.

We support this bill as passed by the Senate.

Our company owns a 36 ton National 15127 Crane which is on a truck chassis with a VIN#. After the manufacturer mounted the crane, it has a total weight of 53,100 lbs. Three-axle cranes, by state law, can accommodate 54,000 lbs. Thus, as you can see, there is only 900 lbs of variance. This crane does not have a bed of any type; therefore it is not possible to haul other material, other than items required in the set up of this crane. It is obvious that the manufacturer did not design this crane with the intent of hauling any type of material.

My ½ ton pickup truck can carry more on the highway. If you plan to haul materials you will not use a crane for that purpose, they require crane operators rather than truck drivers, and are more expensive to operate.

We are a small company. As such, we specialize in "hook" work ONLY. We do not and do not wish to compete with any other trades, ie. trucking, rigging or millwrights. We DO NOT HAUL any goods for any of our customers for this reason.

As a small company, the additional expenses that this legislature would generate would be detrimental to our bottom line. We would be forced to pass on price increases to our customers and in this competitive business; it would be much more difficult to continue to compete with the larger companies.

House Transportation
Date: 3-7-06
Attachment # 5

Thank you for considering our issues; if you have any additional questions, please feel free to contact me at 785-357-1108.

Sincerely,

Allen Gilmore
President
Gilmore Crane Corp.



3521 SW 5th Street.
Topeka, KS 66606
785-357-5256
785-357-5257 fax
kmha1@sbcglobal.net

**TESTIMONY
BEFORE THE
HOUSE TRANSPORTATION
COMMITTEE**

TO: Representative Gary Hayzlett, Chairman and
Members of the Committee

FROM: Martha Neu Smith, Executive Director
Kansas Manufactured Housing Association

DATE: March 7, 2006

RE: Senate Bill 374 – Self-propelled Cranes

Chairman Hayzlett and Members of the Committee, my name is Martha Neu Smith and I am the Executive Director of the Kansas Manufactured Housing Association (KMHA) and I appreciate the opportunity to comment on SB 374.

KMHA is a statewide trade association, which represents all facets of the manufactured housing industry, (i.e. manufacturers, retailers, community owners & operators; finance & insurance companies; service and suppliers and transporters).

KMHA would like to express our support of SB 374 as amended. The new language clarifies which self propelled cranes are included in the exception provisions of K.S.A. 8-128. It also adds language that prohibits self-propelled cranes from transporting any property, except that is required for safe and stable operation of the crane itself and it states that a violation of this law shall constitute an unclassified misdemeanor punishable by a fine of not less than \$500.

As our homes have evolved and become larger, they are transported in more than one section. Consequently, the Manufactured Housing Industry has come to depend on this type of equipment (self propelled crane) to place our structures onto foundations. Therefore, we would respectfully request your support of SB 374 and pass it out favorably.

Thank you for your consideration.

House Transportation
Date: 3-7-06
Attachment # 6



K A N S A S

JOAN WAGNON, SECRETARY

DEPARTMENT OF REVENUE
DIVISION OF VEHICLES

KATHLEEN SEBELIUS, GOVERNOR

TO: Chairman Gary Hayzlett
Members of the House Transportation Committee

FROM: Carmen Alldritt, Director
Division of Vehicles

DATE: March 7, 2006

SUBJECT: Senate Bill 374 – Self Propelled Cranes

Thank you Mr. Chairman and Committee Members. My name is Carmen Alldritt, and I serve as the Director of Vehicles for the Kansas Department of Revenue.

The current definition of a self-propelled crane dates from the late 1930's. As we know, machinery, technology and business have changed dramatically over the last 70 years. Currently some companies are operating flat bed trucks that have a boom lift mounted on the truck chassis and are failing to obtain Kansas registration. These trucks are normally required to be registered, as they are constructed in a manner that would allow transportation of property on the flat bed. When citations are written to drivers of these vehicles, some courts are utilizing the current statute to dismiss the violation.

The Department introduced SB374 to give a clear and more current definition of a self-propelled crane, which would aid as a tool for law enforcement.

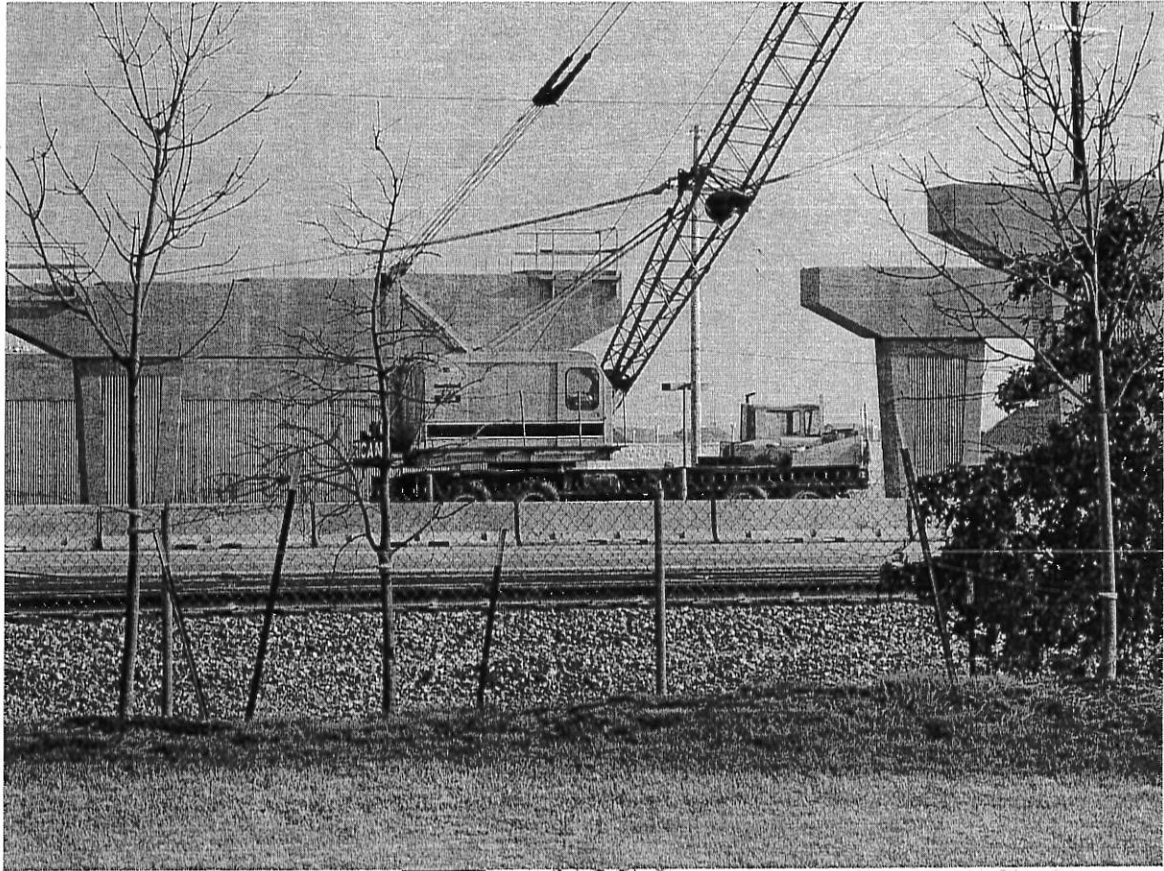
As amended by the Senate Committee, this bill should no longer be considered a Department bill. In fact, SB374 now contains a fiscal impact to the state. The exact number of vehicles that could qualify for exemption from registration is unknown. If 1,000 vehicles qualified and the average registration fee were \$500.00 the State Highway Fund would be reduced by approximately \$500,000. As an exempt vehicle, it would be allowed to run non-taxed, dyed-diesel fuel, which would further impact the State Highway Fund as a result of reduced motor fuel taxation. The Department is unable to estimate the amount of fuel these vehicles would consume in the course of a year.

Please see attached ruling from the District Court in Atchison County which states "the exemption of self-propelled was not intended to exempt from registration any motor vehicle which happens to be equipped with a devise for lifting". We are now advised, by the Court, that a district court appeal has been filed and both parties are in the process of filing briefs. A decision will not be reached until late April.

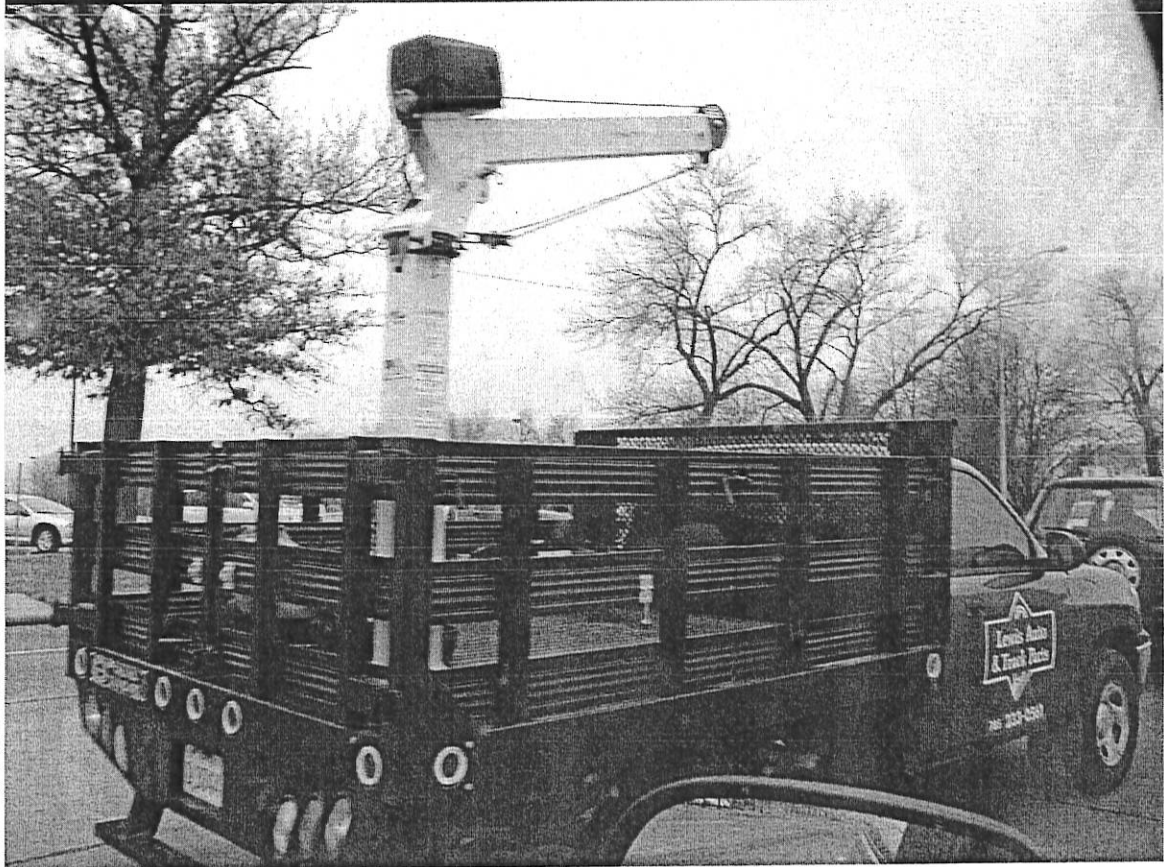
In light of the fiscal note and impending court action, I would respectfully request this committee view SB374 unfavorably.

DOCKING STATE OFFICE BUILDING, 915 SW HARRISON ST., TOPEKA, KS 66612-1588
Voice 785-296- 3601 Fax 785-291-3755 <http://www.ksrevenue.org/>

House Transportation
Date: 3-7-06
Attachment # 7









K A N S A S

JOAN WAGNON, SECRETARY

DEPARTMENT OF REVENUE
DIVISION OF VEHICLES

KATHLEEN SEBELIUS, GOVERNOR

TO: House Transportation Committee
FROM: Alan Anderson, Driver's License Bureau
DATE: March 7, 2006
RE: Senate Bill 554

Good Afternoon Mr. Chairman and members of the Committee.

Senate Bill 554 requires all drivers licenses issued to drivers under the age of 21 to expire on their 21st birthday. This is the same requirement that currently exists for identification cards issued by the division.

As you are aware, licenses issued to drivers under 21 are currently issued in a "vertical" format. This bill would require all driver's under 21 to renew their license on their 21st birthday and be issued a "horizontal" format license.

Drivers under 21 may be slightly inconvenienced by the enactment of this bill as they would be required to renew their license on their 21st birthday. This is the same inconvenience that an ID card holder has now. There may be some drivers who would have renewed on their 18th, 19th or 20th birthday who are now going to be asked to renew again on their 21st birthday. They will then renew for a full 6 year license (or 4 years if they are a CDL license holder).

The Division has worked closely with the Kansas Licensed Beverage Association to develop this bill and with the changes made by the Senate Transportation Committee the least impact possible will be felt by Kansas drivers.

I'll be happy to try to answer any questions.

House Transportation
Date: 3-7-06
Attachment # 8



*Kansas
Licensed
Beverage
Association*

President
James "Jim" Fager

Vice Presidents
Tammy Davis
Tom Intfen
Robert Farha
Jim Hendricks
Curt Melzer
Richard Markle
Paul Boone
Billy Long
Leigh Watkins
Drew Mullen
Sean Haydock

Treasurer
Mark Barrett

*National
Director*
Tammy Davis

*Executive
Director*
Philip Bradley

745 New Hampshire
P.O. Box 442066
Lawrence, KS 66044

Voice/Fax:
785.331.4282
www.klba.org
info@klba.org



Testimony on SB-554, March 7, 2006
House Transportation Committee

Mr. Chairman, and Representatives of the Committee,

I am Philip Bradley representing the Kansas Licensed Beverage Assn., the men and women, in the hospitality industry, who own and manage bars, clubs, caterers, restaurants, breweries and hotels where beverage alcohol are served. Thank you for the opportunity to submit testimony today.

We support SB-554 and urge you to pass it with a favorable recommendation.

In 2003 the legislature passed SB-159, establishing the use of Vertical DL and ID cards. This action requested and advocated by the KLBA has assisted in our mutual goal of assuring that underage persons do not get access to beverage alcohol in Kansas. SB-159 passed with huge support (Senate 39-0, House 121-2) and was signed into law. Since then this statute has been implemented with great success. Many other states use the same Vertical DL/ID process. **Unfortunately there is one vital tool missing in our law that other states use to attain our mutual goal.** Although Vertical ID cards expire on the 21st birthday, this was left out of the DL statute. This bill would correct that fatal flaw.

The reason to have a differently appearing card for those under 21 is to reduce the accessibility of alcohol to underage persons. This bill helps in several ways; 1) immediate and obvious recognition that this is an underage card; 2) that underage persons could not "pass on" or sell their cards to others when they become 21 and replace their card; 3) assuring that no person over 21 has a valid vertical card.

We now have a DL that is extremely difficult to counterfeit and easier than ever to verify authenticity. *However that is all lost if someone is using a real DL to obtain alcohol illegally.* The appearance of our youth varies greatly from 15 to 21 years of age. **If you pass this bill anyone using a vertical ID will either be underage or using an expired card and this will assist all of us in preventing underage access to alcohol.**

Please note that we already require this for Kansas issued I.D. cards as outlined in KSA 8-1329. (Statute below)

We have worked with the KDOR, Drivers License Bureau and appreciate their help. Minor adjustments necessary to allow them to quickly and seamlessly implement this change were made in the Senate Committee. We also thank Mr. Kinzie for his efforts and skills.

Other supporters- In conversation the law enforcement community, we were given support for this bill by the following associations; the Kansas Peace Officers Association, the Kansas Association of Chiefs of Police and the Kansas Sheriff's Association. Also in support are the Kansas Association of Beverage Retailers and the Petroleum Marketers and Convenience Store Assn. of Kansas.

Attached are KSA 8-1329, the KLBA testimony text from 2003 and the KDOR information on the current DL.

Thank you for your consideration,

Philip Bradley
Executive Director
Kansas Licensed Beverage Association

House Transportation
Date: 3-7-06
Attachment # 9



8-1329. Same; cards issued to persons under 18 or 21 distinguishable. (a) An identification card issued to any person under 21 years of age shall expire on such person's twenty-first birthday and shall bear on the face of the card an overprint of the words "UNDER 21" placed diagonally across the card, and a statement to the effect that the card expires on the twenty-first birthday of the person to whom it is issued.

(b) In addition to subsection (a), all identification cards issued on and after July 1, 1997, to persons under the age of 18 years shall also be readily distinguishable from cards issued to person age 18 years or older.

(c) In addition to the provisions of subsections (a) and (b), on and after July 1, 2004, the secretary of revenue shall implement a vertical format to make identification cards issued to persons under the age of 21 more readily distinguishable.

(d) Renewal of such card shall be in accordance with the provisions of K.S.A. 8-1325, and amendments thereto.

*History: L. 1973, ch. 31, § 6; L. 1997, ch. 33, § 2; L. 2003, ch. 55, § 2; July 1.
(Author placed bold highlights)*

Testimony on SB-159 on February 13, 2003
Senate Transportation Committee
Mr. Chairman and Senators of the Committee,

I am Philip Bradley of the Kansas Licensed Beverage Assn ,representing your constituents in the hospitality industry who own and manage bars, clubs, restaurants, hotels and catering services where beverage alcohol is served.

Thank you for the opportunity to speak. I recognize the value of your time and will be brief.

The KLBA strongly supports the use of vertical ID's to assist in the fight against underage drinking.

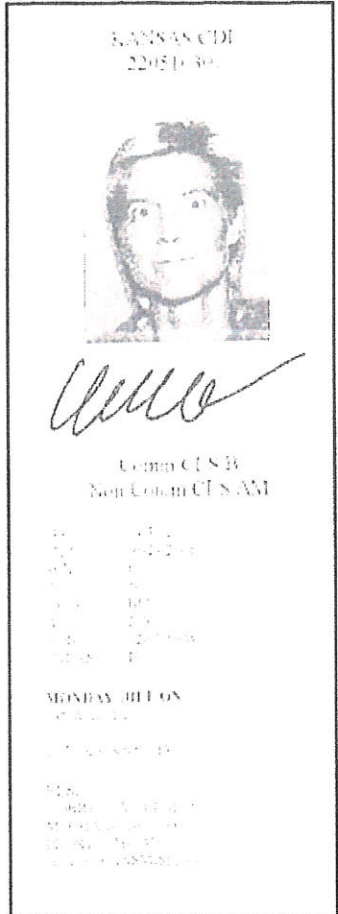
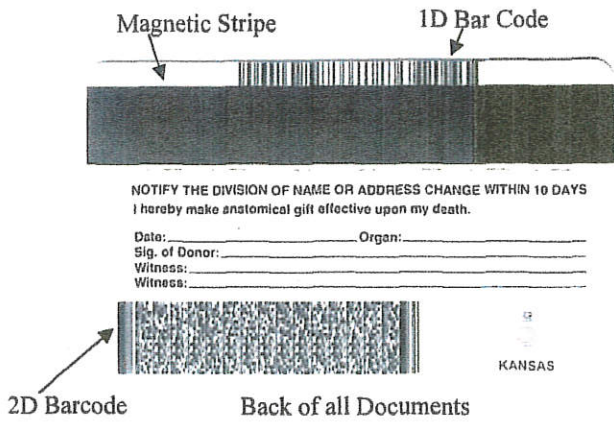
Many, many times while teaching TAM® Responsible Servers classes, I personally have heard those students who have been cited for serving an underage person admit that they did look at the ID but misread the date or miscalculated the age. Additionally reports from the Law Enforcement community also cite this as a common mistake. News articles and state statistics show that in some areas at least 50% of those cited in "Sting" operations made this mistake of miscalculation. With a vertical system we can assure personnel are able at a glance to identify an underage ID. Many other states have taken this simple step to address this issue. There are at least 13 states, 26% of the nation, that now have, are implementing or are considering this format. (CO, CN, IA, KY, MA, MS, MI, NV, OH, TX, VA, VT, WA) SB-159 would allow Kansas to do the same.

We support SB-159 and urge it's passage.

Thank you ,

Philip Bradley
Executive Director
Kansas Licensed Beverage Association

**Drink Responsibly.
Drive Responsibly.**



Temporary Receipt

- Each card is laminated with a tamper resistant coating that increases the card's security and durability. The front laminate shows a pattern of the Kansas State Seal that changes color as the document is tilted for viewing. Printed data overlaps the digital photo and ghost portrait image.
- The 1D and 2D barcodes and Magnetic Stripe on the back of each document contain text data from the front of the card.
- All documents issued to individuals less than 21 years of age will be in the "vertical" format.



Under 18 DL



Under 21 DL



Over 21 ID



Under 21 ID



Under 18 ID



The Kansas Association of Beverage Retailers

P.O. Box 3842
Topeka, KS 66604-6842
www.kabr.org

Phone 785-266-3963
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TESTIMONY PRESENTED TO THE HOSUE TRANSPORTATION COMMITTEE

March 7, 2006

Amy A. Campbell, Executive Director

Thank you, Mr. Chairman and members of the committee for the opportunity to represent the Kansas Association of Beverage Retailers regarding Senate Bill 554. There are approximately 715 state licensed liquor stores in the state of Kansas. Our members are Kansas citizens who own Kansas businesses.

We are very happy to support the portion of SB 554 relating to the mandatory renewal of an individual's driver's license upon reaching the age of twenty-one. Many of you may be aware of news articles describing the creative efforts of young people to falsify their driver's licenses. Kansas has taken specific steps to verify the identity and the age of individuals who get a driver's license – and this bill provides a key step forward.

Right now, an underage individual's I.D. has a different background color behind the picture and is oriented vertically. With the passage of this bill, no legal 21 year old's I.D. will be vertical. There will be no exceptions. It is simple.

KABR members are small business owners. The responsibility for every action of the employees within that store comes to rest on the liquor store owner. This includes administrative penalties for illegal sales, which result in fines from \$100 to \$1000 per individuals and suspension of the license for 1 weekend day up to 14 consecutive days. On the 9th offense, the license is to be revoked. These are serious implications. Imagine that you have owned your store for ten years and there is a State agency which on any given day will send an underage individual through your front door to "test" the employee on duty to see if he will ask for identification and verify the age of the purchaser. The ABC reports to us that there are times the clerk on duty will ask for the I.D. only to fail to do the appropriate math. This bill helps to make these errors all but impossible.

These are the realities of owning a liquor store – and KABR works to empower our members to make safe and legal sales 100% of the time. This is why our organization has worked hard to implement our licensee and employee training program. In fact, liquor stores have shown consistent improvement in passing compliance checks conducted by the agency, reaching an all-time high of 88% compliance two years ago. Right now, the agency is in the midst of a new "controlled buy" initiative. We look forward to good reports again this time around.

Please help us to do even better. Please pass mandatory renewal of licenses at age 21.

Thank you for your kind attention.

House Transportation
Date: 3-7-06
Attachment # 10