

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on February 6, 2007 in Room 519-S of the Capitol.

All members were present.

Committee staff present:

Hank Avila, Kansas Legislative Research
Bruce Kinzie, Revisor of Statutes Office
Betty Boaz, Committee Assistant

Conferees appearing before the committee:

Representative Nile Dillmore
Ray Thomas, Wichita, KS
Chris Maurich, representing ABATE of KS
Representative Ann Mah
David Cromwell, EMS Operations Manager
Marcy Ralston, Chief, Driver Control Bureau
Carmen Alldritt, Director, Motor Vehicle Div.

Others attending:

See attached list.

Chairman Hayzlett called the meeting to order and opened hearings.

HB 2195 - Regulating traffic, increasing penalties for certain right-of-way violations

Chairman Hayzlett introduced Representative Nile Dillmore who made some introductory remarks, urged the Committee to pass **HB 2195**, then introduced Ray Thomas.

The Chairman welcomed Ray Thomas from Wichita, KS to the Committee. Mr. Thomas told the Committee about a friend of his, Kevin McVeigh, (Attachment #1) who was killed by a driver who received a fine of \$50 for the accident that killed his friend. Mr. Thomas told the Committee that over 60,000 right of way accidents have occurred in the last six years. He compared the 60,288 right-of-way violation accidents to the 17,585 DUI accidents. He said that a minor accident while drinking equals jail time while the penalty for a right-of-way fatality is not considered criminal because of lack of intent. According to Mr. Thomas this bill proposes increasing penalties based on the severity of the accident with enhanced penalties for repeat offenders. He said the long-term intent of this bill is prevention - not punishment and that it is modeled after MADD and DUI laws because he believes that awareness reduces accidents.

Chairman Hayzlett introduced Chris Maurich with ABATE of KS, Inc. Mr. Maurich stated that even though the motorcycling community has made efforts to mitigate right-of-way type crashes through enhancing motorcycle awareness via billboard, poster, media and other campaigns, the message to "watch for motorcycles" continues to be unheeded. According to Mr. Maurich (Attachment #2) the penalty for a right-of-way violator who dings a car is generally the same as the penalty for a right-of-way violator that sends a more vulnerable road user, such as a motorcyclist, to the hospital or grave; a misdemeanor or summary offense with a small fine from \$25 to \$100. He concluded by saying they feel that loss of life or physical dismemberment should receive more than a simple penalty for a traffic infraction.

Chairman Hayzlett drew the Committee's attention to written testimony submitted by Barbara Evanhoe of Towanda, KS supporting this bill. The Chairman also pointed out to the Committee approximately 1,000 letters the first proponent, Mr. Thomas, brought with him in support of **HB 2195**.

There were no additional proponents for **HB 2195**.

The Chairman recognized Marcy Ralston, Chief of the Driver Control Bureau, Division of Vehicles, Dept. of Revenue, who appeared not as an opponent but because of concerns about the technical difficulties in administering the law if this bill passes. According to Ms. Ralston, (Attachment #3) this bill would create

CONTINUATION SHEET

MINUTES OF THE House Transportation Committee at 1:30 P.M. on February 6, 2007 in Room 519-S of the Capitol.

a new suspension action Driver Control does not currently impose. She said while the suspension action itself is not difficult to administer, the volume of suspensions that could occur do cause concern. Ms. Ralston said Driver Control received approximately 12,800 convictions of this type in 2006, if even half of those convictions matched one of the three criteria for suspension action, it would be a definite increase, including manually adding the convictions to the driving record, issuing the suspension notices and customer inquiries. She concluded by saying that her purpose in appearing before the Committee was to advise them of the difficulties in administering the law and possible fiscal impact by needing to hire additional staff.

There being no additional parties to speak to this proposed bill, the Chairman closed the hearing on **HB 2195**.

Chairman Hayzlett opened the hearing on **HB 2119**.

HB 2119 - Emergency medical service license plate.

Chairman Hayzlett introduced Representative Ann Mah as the first proponent for **HB 2119**. According to Representative Mah, this bill provides for the introduction of a new distinctive license tag for Emergency Medical Services attendants (Attachment #4). She asked the Committee to support this bill in appreciation of the service that EMS providers have given to our state.

Chairman Hayzlett recognized David Cromwell, Operations Manager for the KS Board of Emergency Medical Services. Mr. Cromwell said Kansas is faced with a severe shortage of EMS personnel, rural Kansas communities especially were facing these issues as the numbers of volunteers dwindle. (Attachment #5) He said legislation like this bill would help to address the issue of recruitment and retention by demonstrating support and acknowledgment from the State.

Chairman Hayzlett drew the Committee's attention to written testimony from Con Olson, President of the NE Kansas Regional EMS Council, requesting support of **HB 2119**.

There were no other proponents for this bill.

Chairman Hayzlett recognized Carmen Alldritt, Director, Motor Vehicle Division, Dept. of Revenue who asked to bring her concerns to the Committee. (Attachment #6) Her concern is with allowing the registration of ambulances, as written in **HB 2119**. Director Alldritt said she had written to the Kansas Board of Emergency Medical Services and explained the problems her department encounters with registration of private and public vehicles. She said the problem was with ambulances, with some registrations being private and some public vehicles. Privately owned ambulances will pay annual registration fees of at least \$40.00, while publicly owned ambulances will pay a one time fee of \$6.00. This creates a special registration within a special registration type and will also cause law enforcement problems. Director Alldritt concluded by asking the Committee to consider their request to strike any references to ambulances, public or private, at this time.

There being no other proponent nor opponents to this bill, Chairman Hayzlett closed the hearing on **HB 2119**.

There was no other business to bring before the Committee so Chairman Hayzlett adjourned the meeting. The next meeting will be on February 7, 2007 at 1:30 p.m. in Room 519-S.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: Feb 6, 2007

NAME	REPRESENTING
Ron Caches	AAA KS.

Ray Thomas Testimony

- I. Current situation
 - A. One case study
 - 1. Kevin McVeigh was killed in March, 2006
 - 2. The driver that hit him was fined \$50
 - 3. The DA's office says that is not criminal
 - B. Statistical analysis
 - 1. 60,288 right of way accidents in 6 years
 - 2. Average of 69 right of way violation fatalities every year for 15 years
 - 3. Affects cars, pickups, pedestrians, motorcyclists, bicyclists, etc.
 - C. Comparison with DUI statistics
 - 1. 60,288 right of way violations accidents vs. 17,585 DUI
 - 2. 69 average deaths per year for ROW accidents, vs 88 for DUI
 - 3. Minor accident while drinking equals jail; penalty for ROW fatality is not a deterrent.

- II. Proposed Bill
 - A. Increasing penalties based on severity of event
 - B. Enhanced penalties for repeat offenders
 - C. Modeled after 16 other states that have enacted these enhancements recently.

- III. Long term intent
 - A. Prevention/not punishment
 - B. Modeled after MADD and DUI laws
 - C. Awareness reduces accidents

CC CASE: 06TM018342
PD. DENT: 06C019171

IN THE MUNICIPAL COURT
OF THE CITY OF WICHITA,
KANSAS

Defense Att'y: W. Eisenbifer Bar No.: 5454 Date Entered: 5-15-06 Date W/D: _____
Defense Att'y: _____ Bar No.: _____ Date Entered: _____ Date W/D: _____

The City of Wichita, Plaintiff vs.

WISE, MELISSA D

AKA: _____

4955 KIMBERLY LN
WICHITA, KS 67204
SSN: 511785403 DOB: 01/08/1977 F / W

OFFICERS:
KENNEDY, JOSEPH

WITNESSES:
MCVEIGH, KEVIN W - W
MITCHELL, MONICA A - W
LANE, JIMMIE R - W
LEIJA, RODOLFO * - W
PRIBBENOW, TROY L - W

Ticket/UCC #	Offense Date	Charge:
1 51034522	03/16/2006	1138175 - INATTENTIVE DRIVING
PLEA: _____	COURT FINDING: <u>DR</u>	DISPOSITION DATE: _____ FINE: _____ JAIL: DAYS _____ MNTHS _____
CHARGE AMENDED TO: _____ <u>7/21/06</u>		
2 51034522	03/16/2006	1128060 - YIELD ROW LEFT TURN
PLEA: <u>r</u>	COURT FINDING: <u>G</u>	DISPOSITION DATE: <u>7-21</u> FINE: <u>50</u> JAIL: DAYS _____ MNTHS _____
CHARGE AMENDED TO: _____		

INTERPRETER NEEDED FOR EACH COURT APPEARANCE: YES: _____ NO: _____

COMMERCIAL DL : YES ___ NO ___ #:

SCHEDULED HEARINGS:

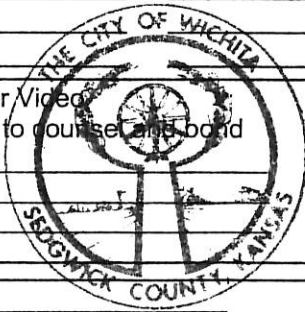
FIRST APPEARANCE DATE: ARR (B) 5-19-2006

LAB FEE ASSESSED:

DATE	REQ. BY	JUDGE	CODE	NXT CT DATE	TIME	CT	BFBW
<u>5-18-06</u>	<u>atty</u>	<u>Clerk</u>	<u>App</u>	<u>6-23-06</u>	<u>830</u>	<u>B</u>	
<u>6-23-06</u>	<u>atty</u>	<u>BB</u>	<u>Tul</u>	<u>7-21-06</u>	<u>900</u>	<u>C</u>	

Paul on court

Arraignment: ___ In Person ___ Prisoner Video
Accused advised of charges, penalties, right to counsel and bond conditions on: _____
Defendant given complaint on: _____
Defendant signs waiver of counsel on: _____



BOND CONDITIONS:
NO ALCOHOL OR DRUGS _____
NO DRIVING WITHOUT VALID DL OR INSURANCE _____
72 HOURS NO CONTACT WITH VICTIM _____

Diver./ Defer. Judg. granted / denied on: _____
Diver./Defer. Judg. terminated / completed on: _____

AMOUNTS DUE:
Total Fine: 50.00
Paroled Fine Amt.: 0
Court Costs: 97.50
Reinstatement: _____
Total Amt. Due: 97.50

Sentences here in: Concurrent ___ Consecutive all cases
Concurrent all cases ___ Consecutive all cases
Commit / Schedule to jail: serve _____
Work Release approved for _____ days.

Defendant to pay fines and costs as ordered & to obey these conditions:
___ Sign Journal Entry of Probation today.
___ Non-reporting probation for _____ months.
___ Submit to fingerprinting today.
___ Forfeit weapon(s) seized herein to City.
___ Obey all federal, state and city laws.

Defendant advised of appeal & expungement rights. Yes ___ No ___
Stay of sentence granted to: _____
if Defendant fingerprinted on: _____
Appeal Bond: \$ _____ Judge: _____
Conditions: _____
OR ___ NO OR ___ SURETY ___ CASH ONLY ___

Municipal Court Judge: [Signature] Div: 4 Deputy Court Clerk: [Signature]

Ray

From: "Breitenbach, Aaron" <abreiten@sedgwick.gov>
To: <rthomas53@cox.net>
Sent: Thursday, September 14, 2006 10:07 AM
Subject: Regarding your questions about traffic fatalities

I am the Assistant District Attorney who oversees the review and prosecution of all traffic fatalities presented to our office. Your question is a fair one, and I am glad to respond.

The facts of the two cases you referenced, the death of Gabrielle Gordon and the death of Kevin McVeigh, are very different. The case involving the death of Gabrielle Gordon is still pending, so I cannot discuss the facts of that case. However, I can say that in that case there is evidence that supports our belief that the driver of the vehicle who struck her was operating his vehicle in a reckless manner. In the case of Ms. Wise, there was no evidence of "reckless" conduct. I do not dispute that she was at fault for the collision and Mr. McVeigh's death. However, there is a difference between an accident or a negligent act and a criminal act. There was no evidence Ms. Wise was intoxicated or otherwise impaired in her ability to safely operate a motor vehicle at the time of the collision. I went to this scene during the initial investigation, and it appeared that she simply turned left when she should not have. Her view of southbound traffic may have been obscured by another vehicle turning eastbound in front of her as she turned westbound. In either event, she clearly should not have made the turn. Having said that, her poor choice may have been negligent, but was not criminal.

Unfortunately, as you suggested in your e-mail, people often make poor driving decisions on the streets of Wichita. Hundreds if not thousands of traffic accidents occur every year in Wichita, and the vast majority are caused by inattentive or negligent actions, as opposed to criminal conduct. There have been a number of motorcycle-related injuries and fatalities this year. When someone is on a motorcycle, they are often not as visible as someone in a car or truck. Further, the injuries sustained in a motorcycle collision are often more severe due to the high likelihood the driver will be thrown some distance or struck directly by another vehicle or other object at high speed. This is not to say motorcyclists do not deserve the same legal protections as any other motorist. However, the degree of injury is not our only determination. Absent evidence of impaired or otherwise reckless driving, we cannot charge someone for a crime.

I hope this explanation helps. You are welcome to call me at the number below if you believe it would be of further assistance.

Respectfully,

Aaron J. Breitenbach
Assistant District Attorney
(316) 660-3667

Aaron J. Breitenbach
Assistant District Attorney
(316) 660-3667

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.1.405 / Virus Database: 268.12.4/448 - Release Date: 9/14/2006

9/29/2006

1-4

FATALITY SUMMARY
STATEWIDE OCCUPANT FATALITIES BY VEHICLE BODY TYPE AND PEDESTRIAN TYPE
WHERE DRIVER FAILED TO GIVE FULL TIME AND ATTENTION
1990 - 2005

Year	FATALITIES BY VEHICLE BODY TYPE											PEDESTRIAN FATALITIES		
	ATV	Car	Commercial Truck	Motorcycle	Other	Pickup Truck	Camper or RV	* SUV or Commercial Truck 4 Tires	School Bus	Transit Bus	Van	Ped	Pedal-Cyclist	Rider of Animal
1990	-	41	3	7	-	14	-	-	-	-	2	1	-	-
1991	-	40	-	5	-	10	1	-	-	-	1	-	-	-
1992	-	41	2	2	-	10	1	-	-	-	4	1	-	-
1993	-	57	4	3	-	8	-	-	-	-	5	-	-	-
1994	-	37	4	6	2	12	-	-	-	-	1	3	1	-
1995	-	41	-	2	-	13	-	-	-	-	1	2	1	-
1996	-	49	5	2	-	11	-	-	-	-	4	1	-	-
1997	-	53	2	4	-	16	-	-	-	-	7	-	-	-
1998	-	40	3	3	4	10	-	-	-	-	6	2	-	-
1999	2	52	2	5	-	17	-	-	-	-	5	2	1	-
2000	-	49	-	6	-	12	-	1	-	-	2	1	1	-
2001	-	47	1	7	-	18	-	-	-	-	5	1	-	-
2002	-	37	2	4	-	14	-	-	-	-	7	-	-	-
2003	1	30	2	10	-	5	-	8	1	-	2	2	1	-
2004	-	34	2	10	1	9	-	4	1	-	6	-	-	1
2005	-	36	2	6	-	16	-	3	-	1	5	1	-	-
16-Year Total	3	684	34	82	7	195	2	16	2	1	63	17	5	1

* NOTE: Prior to 2003 - "Commercial Truck 4 Tires", 2003 to Present - "SUV"



FACT SHEET

On average, for the past 15 years, there are **69** fatalities in Kansas every year due to Right of Way Violations.

2004, (last year available) there were **88** DUI related fatalities. DUI gets the attention, yet ROW violations are close in total fatal accidents.

Six Year Comparison:

Year	ROW Accidents	DUI Accidents
2000	10,707	2,890
2001	10,705	3,081
2002	10,346	3,139
2003	9,928	2,927
2004	9,731	2,894
2005	8,871	2,654
Totals	60,288	17,585

Source: Kansas Department of Transportation, <http://www.ksdot.org/burTransPlan>

16 states (Arkansas, California, Georgia, Iowa, Louisiana, Maine, Missouri, New Hampshire, New York, North Carolina, Oklahoma, Pennsylvania, Virginia, Washington, West Virginia, Wisconsin) have recently passed increased ROW violations laws, and legislation is pending in 4 others. (Massachusetts, Michigan, Minnesota, New Jersey and Ohio.)

Wichita Eagle, March, 2006 (in part):

Yet the biggest cause of motorcycle accidents, authorities said, is not motorcycle riders. It's other motorists pulling out in front of the bikes or turning into their right of way.

Nationally, 75 percent of motorcycle accidents are with other types of vehicles, and two-thirds of those are the fault of the other motorist.

"They just don't see them," said police Sgt. Jerry Quick, who rides a motorcycle to work. "We're in a hurry-hurry society where people are doing more things: putting on make-up, shaving, eating, talking on the phone...."

Mr. Chairman, Members of the committee,

I am Chris Maurich, from ABATE of Kansas, Inc. We are proponents of HB 2195, an act regulating traffic, increasing penalties for certain right-of-way violations

Rae Tyson, a spokesman for NHTSA, said that 51 percent of all motorcycle fatalities involve a collision with another vehicle, which could mean that "the driver of the other vehicle apparently did not see the motorcycle or understand its speed."

Vehicle violating the motorcyclist's right-of-way by turning left while the motorcycle was going straight, passing, or overtaking the vehicle are common examples of these collisions.

The unfortunate truth is that a driver's inattentive left turn, unwary lane change, casual red light "run", or momentary inattention can, and often does, result in the death or serious injury of a motorcyclist. While the motorcycling community has made efforts to mitigate these right-of-way type crashes through enhancing motorcycle awareness via billboard, poster, media and other campaigns, the message to "watch for motorcycles" continues to be unheeded.

This spring, when Pittsburgh Steelers quarterback Ben Roethlisberger collided with a car that turned left in front of him, breaking his face and causing a concussion, it triggered media uproar about the need for helmet laws. Few remarked on the irony or hypocrisy of the situation, the fact that the cause of the accident was a left turning car, a typical Right - of - way violation that this time did not result in a fatality.

No one paid much attention to the guy who said that even if there had been a helmet law and Roethlisberger had been wearing a helmet as a result, it might not have made a lot of difference. You should note it, however, because the guy who said that was Harry Hurt, the lead author of Motorcycle Accident Cause Factors and Identification of Countermeasures (a.k.a. the Hurt Report), which 25 years later is still the most comprehensive study of motorcycle crashes in America.

In general, right-of-way laws do not take into account the considerable vulnerability of road users such as motorcyclists, bicyclists and pedestrians. Consequently, the penalty for a right-of way violator who dings a car is generally the same as the penalty for a right-of-way violator that sends a more vulnerable road user, such as a motorcyclist, to the hospital or grave; a misdemeanor or summary offense with a small fine from \$25 to \$100.

While many in the traffic safety community, federal and state legislatures have been quick to regulate motorcycles and in some cases condemn motorcycling in the name of safety, little has been done to enhance motorcycle safety by holding those most responsible for motorcycle crashes and fatalities accountable... right-of-way violators. This neglect has led to an attitude of indifference.

HB 2195 is a step in the right direction, allowing latitude for judges to make decisions commensurate with the violation. We feel that loss of life or physical dismemberment should receive more than a simple penalty for a traffic infraction. This legislation will benefit all road users, and we hope it will serve to increase awareness of the all roadway users.

House Transportation
Date: 2-6-07
Attachment # 2

TO: Representative Gary Hayzlett
Members of the House Transportation Committee

FROM: Marcy Ralston
Director, Division of Vehicles

DATE: February 6, 2007

RE: House Bill 2195

Thank you Mr. Chairman and Members of the Committee. My name is Marcy Ralston and I serve as the Chief of the Driver Control Bureau, Division of Vehicles, Department of Revenue. We appreciate the opportunity to speak in regard to this bill.

House Bill 2195 calls for the suspension of driving privileges upon conviction of a "right of way" violation that results in either property damage in excess of \$1,000, injury to a person or death of a person.

This creates a new suspension action Driver Control does not currently impose. While the suspension action itself is not difficult to administer, the volume of suspensions that could occur do cause concern. Driver Control received approximately 12, 800 convictions of this type in calendar year 2006. If even half of those convictions matched one of the three criteria for suspension action, it would be a definite increase, including manually adding the convictions to the driving record, issuing the suspension notices and customer inquiries. The increase that could be realized with passage of this bill would be difficult for Driver Control to maintain.

House Transportation
Date: 2-6-07
Attachment # 3

ANN E. MAH
REPRESENTATIVE, 53RD DISTRICT
3351 SE MEADOWVIEW DR.
TOPEKA, KANSAS 66605
(785) 266-9434

CAPITOL BUILDING
TOPEKA, KANSAS 66612
(785) 296-7668



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
EDUCATION
FEDERAL AND STATE AFFAIRS
GOVERNMENT EFFICIENCY AND
TECHNOLOGY

House Transportation Committee
Chairman Hayzlett
Testimony – HB 2119

Mr. Chairman and Committee, thank you for hearing our bill today. HB 2119 provides for the introduction of a new distinctive license tag for Emergency Medical Services attendants. The license tag was requested by the Board of Emergency Medical Services to honor EMS professionals and to aid in recruiting. EMS attendants and licensed ambulance service operators may apply for this new tag.

Board personnel have been working to get the required number of signatures of interested parties and obtain funding for the design and production. The estimated one-time cost of \$8,000 to \$10,000 would be paid out of the Emergency Medical Services operating fund.

I appreciate your consideration of this bill and request your approval in appreciation of the service that EMS providers have given to our state.

House Transportation
Date: 2-6-09
Attachment # 4



KANSAS

DENNIS ALLIN, M.D., CHAIR
ROBERT WALLER, CHIEF ADMINISTRATOR

KATHLEEN SEBELIUS, GOVERNOR

BOARD OF EMERGENCY MEDICAL SERVICES

Testimony

Date: February 6, 2007
To: House Committee on Transportation
From: David Cromwell, EMS Operations Manager
RE: House Bill 2119

Chairman Hayzlett and members of the House Transportation Committee, thank you for the opportunity to provide testimony on the House Bill 2119, my name is David Cromwell and I am the EMS Operations Manager for the Kansas Board of Emergency Medical Services (KSBEMS).

Kansas, not unlike many other states, is faced with a severe shortage of EMS personnel. In particular the ability to recruit and retain. Rural Kansas communities especially face these issues as the numbers of volunteers dwindle. A large portion of our State, rural EMS, is made up of volunteers. Volunteer attendants are the backbone of many rural EMS programs, but their numbers are declining and it is especially difficult to staff day time shifts due to employment obligations. This is due to a number of factors, two being the inability of individuals to acquire time off from their full-time employer to volunteer, and an overall reduction nationwide in the number of individuals that volunteer their time and service. The current number of volunteers are getting older and thus starting to retire from service. Younger Americans on the other hand, are either not volunteering to the level that the previous generation did or realize that to make a career of EMS, they will eventually have to move to the urban or more populated areas of the state. These factors and others contribute to a shortage of certified attendants including family obligations, educational requirements, low pay and 24 hour coverage not to mention the physical and mental strains it puts on these caring and dedicated individuals. This in turn causes ambulance response times to slow and lengthens the time it takes for those in need to get assistance. These are all key factors that make it difficult to hire and retain certified EMS attendants.

Legislation like HB 2119 and HB 2101, a bill residing in House Taxation that would permit tax credits for volunteer EMS personnel, would attempt to address the issue of recruitment and retention. The continued support from this Legislature, our budget submission and KBEMS grants to local services has provided the agency with the tools to aid and support EMS services through technical support, training, and educational funding. The passage of this bill would go a long way to demonstrate support and acknowledgement from the State.

EMS Background

EMS, after thirty some years, is finally coming of age and is being recognized as a third public servant. In 1966 the National Highway Safety Act charged the United States DOT with developing EMS Standards. In

House Transportation
Date: 2-6-07
Attachment # 5

1973 Congress passed those standards known as the National Emergency Medical Services System Act and was the cornerstone of a federal effort to improve EMS systems across the United States. Since then, states have gained more control over their EMS systems. I personally have been involved in the industry for twenty eight years and in my career, have seen the industry develop to what I would consider state of the art. When I started in EMS, patient care was "load and go". Today, when you call for an ambulance, a rolling emergency room arrives because of the evolution in EMS, the educational requirements, the devotion and dedication. We are simply asking that you help us recognize these individuals and services for who and what they are.

Bill Language

House Bill 2119, as introduced, allows any resident of the State of Kansas who is the owner or lessee of a passenger vehicle, trucks of a gross weight of 20,000 pounds or less or motorcycles to be issued a distinctive Emergency Medical Services license plate upon submission of proof to the Director of Vehicles and payment of appropriate registration and payment of regular license fees. The application for the distinctive license plate must be made not less than 60 days prior to the registration renewal date on a form prescribed and furnished by the Director of Vehicles and verification of EMS certification. Also, the bill as introduced, allows any Kansas EMS service who operates a licensed ambulance to also apply for a distinctive Emergency Medical Services license plate. The publicly owned ambulance would not be subject to annual renewal, however, private services would. The bill would take effect January 1, 2008.

The bill as introduced would cost an estimated \$8,000 to \$10,000, according the Department of Revenue. The costs are based on the development of the distinctive license plate by the Department of Revenue and financing would be provided from the Emergency Medical Services operating fund. The expenditure would be a onetime cost. The continuation of the Emergency Medical Services distinctive license plate would be determined by the number of certified EMS attendants and Kansas services operating a licensed ambulance who renew.

KBEMS has already demonstrated an interest for the tag from EMS attendants. The requirement was to demonstrate that at minimum, 500 people would request the tag. To date, KBEMS has received over 675 forms completed and returned. Verification of eligibility from the attendant would be made through providing a KBEMS certification card during registration.

The bill, as introduced, mirrors the distinctive license plate for fire fighter's bill that went into effect last year. The only difference is the language allows publicly owned ambulances to utilize their normal registration and renewal procedures and provides the opportunity for them to have the distinctive plate as well.

Conclusion

Simply, members of the Committee, the passage of HB 2119 provides EMS personnel, rural and urban, volunteer and full/part-time with a level of respect and recognition they deserve within their own community and when traveling about the state. As Operations Manager, and a former flight paramedic, I don't know of an attendant in the state that is not proud of what he or she does. These are the folks that get up in the middle of the night to help others when they are in need. KBEMS would ask that you help us recognize these attendants for their service and dedication in providing pre-hospital care to the citizens of our State.

Thank you for allowing me to testify in support of HB 2119 and I will stand for any questions you may have.

KANSAS

DEPARTMENT OF REVENUE

Kathleen Sebelius, Governor
Joan Wagnon, Secretary

www.ksrevenue.org

TO: Chairman Gary Hayzlett
Members of the House Transportation Committee

FROM: Carmen Alldritt, Director
Division of Vehicles

DATE: February 6, 2007

SUBJECT: House Bill 2119 – Emergency Medical Services License Plate

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.

House Bill 2119 creates a new Distinctive License Plate for the Emergency Medical Services organization. The effective date of the bill is January 1, 2008.

The Division is excited to work with the EMS community to develop and issue the EMS license plate. We know how important these plates are, as we experienced the overwhelming response when the Firefighter plate was issued in October 2005.

K.S.A. 8-1,141 sets out the requirements for all distinctive license plates. In general, distinctive license plates are subject to a minimum initial issuance of 500 plates, a \$40 personalized plate fee, and the sponsoring organization must pre-pay initial development and production costs, up to \$10,000.

My concern is with allowing the registration of ambulances, as written in HB2119.

November 2, 2006 I wrote Robert Waller, Chief Administrator Kansas Board of Emergency Medical Services a letter explaining the problem we encounter with registration of private and public vehicles. My letter stated: I have an issue placing these special plates on ambulances. Some ambulance units are exempt from registration fee, as they are owned/operated by a governmental unit and display a permanent city/county license plate. Other ambulances are owned/operated by a private company. They pay registration and vehicle tax on a yearly basis.

Privately owned ambulances will pay annual registration fees of at least \$40.00, while publicly owned ambulances will pay a one time fee of \$6.00. These are two separate functions for the same type of vehicle. Creating a special registration within a special registration type will also cause law enforcement problems.

House Transportation
Date: 2-6-07
Attachment # 6

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

I would ask the committee to please consider our request to strike any references to ambulances, public or private, at this time.

Our Vehicle Information Processing System (ViPS) is currently unable to issue and/or maintain different registrations on the same vehicle type. We are in the process of a feasibility study to replace our VIPS system. I would ask for your patience until the new system is functional in approximately 2010. We would be able to review your request at that time. As I told Mr. Waller, with a new system in place the request to place EMS plates on ambulances would stand a better chance of becoming a reality.

The Division respectfully requests that if passed, the provision of this bill would expire if the sponsoring agency has not met the requirements for issuance of the plate within two years of the enactment of the bill.

Thank you, and I stand for questions.