

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on February 15, 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 William Otto
Paul Finney, Humboldt, KS
Ken Gudenkauf, Legislative Liaison, KDOT
Representative Tom Burroughs
Jim Hanni, Executive Vice-President, AAA Allied Group
Dr. Robert Foss, Director, Center for the Study of Young Drivers, University of North Carolina
Deb Miller, Secretary, Kansas Department of Transportation
Mike Watson, Director, Riley County Police Department
Dr. Howard Rodenberg, Director, Division of Health, Dept. of Health and Environment

Others attending:

See attached list.

Chairman Hayzlett opened the Committee meeting by opening the hearing on **HB 2290**.

HB 2290 - Highway advertising control act

Chairman Hayzlett introduced Representative William Otto as the first proponent. (Attachment #1) Representative Otto asked several rhetorical questions such as, "What do you do when the highway once went through your town then the state moves the road?" He said you are forced to have your business moved out of town along the new road before you can put up a billboard telling people what is offered in your community. Representative Otto urged the Committee to favorably pass **HB 2290**.

The next proponent was Paul Finney. (Attachment #2) Mr. Finney said that originally highway 169 went through the center of Humboldt and they had a thriving community. He said today Humboldt is economically devastated because KDOT re-routed US 169 around Humboldt. Mr. Finney said in addition to being bypassed, Lady Bird's anti-billboard law of the 1960s compounded the damage. Mr. Finney said last year SB 253 contained an escape clause for spot zoning. He said that a KDOT staff attorney, however, disputed it's meaning. He concluded by saying this bill will treat everyone the same across the state.

The only opponent to **HB 2290**, Ken Gudenkauf, Legislative Liaison for KDOT (Attachment #3) testified that this bill would allow outdoor advertising structures erected by local zoning authorities prior to July 30, 2006 (as a result of "spot zoning") to be considered legal conforming signs. Mr. Gudenkauf said that if the proposed legislation were to be enacted, it would amend the Highway Advertising Control Act in a way that would contradict federal law and KDOT would be subject to a 10 percent reduction of federal funding for several highway programs.

There being no other proponents or opponents, Chairman Hayzlett closed the hearing on **HB 2290**.

The Chairman opened hearings on **HB 2400**.

HB 2400 - Drivers' licenses, age requirements

The first proponent was Representative Tom Burroughs. (Attachment #4) According to Representative Burroughs **HB 2400** concerns the adoption of a Graduated Drivers License program which will save lives and make the roads of Kansas safer for drivers both youth and senior. He concluded by saying that this bill is a

CONTINUATION SHEET

MINUTES OF THE House Transportation Committee at 1:30 P.M. on February 15, 2007 in Room 519-S of the Capitol.

reasonable and responsible change to an irresponsible and outdated law and that we must provide our teen-children with protective restrictions.

The next proponent was James R. Hanni, Executive Vice-President, AAA Allied Group. (Attachment #5) He said AAA supports changes to the current licensing system in **HB 2400**, recommended by the task force called the "Driving Force". He said the changes will help teens maximize the experience they need and minimize the risks to their safety by reducing the number of car crashes, injuries and deaths. Mr. Hanni concluded by saying that because so many other states have enacted true GDL systems, there is plenty of evidence that GDL as proposed clearly works to reduce novice driver car crashes significantly. GDL Systems, like what is proposed for Kansas, produce 20-25% reductions in daytime crashes and 47-52% reductions in nighttime crashes.

Dr. Robert Foss, Director, Center for the Study of Young Drivers, University of North Carolina was the next proponent. (Attachment #6) According to Dr. Foss he and colleagues recently completed a report for the Transportation Research Board of the National Academies of Science and the conclusion of that report is that, by far, the most important and effective thing that states can do to protect young drivers, as well as everyone sharing the road with them, is to enact a comprehensive graduated driver licensing system. He said the proposed legislation proposes that protective restrictions last only for the first six months of unsupervised driving. Dr. Foss said that crash risks are very high during the initial months of unsupervised driving, but decline fairly rapidly in the initial six months, followed by a much slower continuing decline for the next few years. He concluded by saying in their interviews and discussions with several thousand families, parents repeatedly comment that holding teens to the protective restrictions that parents sense are appropriate is much easier for them to do when the state has incorporated them in its driver licensing system.

Chairman Hayzlett introduced Deb Miller, Secretary of the Kansas Department of Transportation. (Attachment #7) According to Secretary Miller, **HB 2400** is an act relating to age requirements and limitations on driver's licenses and that this legislation was one of the many recommendations from the "Driving Force" task force which studied ways to reduce fatalities and injuries on Kansas roadways. She said motor vehicle crashes are the leading cause of death and serious injury for teenagers in Kansas as well as the United States. Secretary Miller said two of the riskiest situations for young drivers to encounter are nighttime driving and driving with other teenage passengers in the vehicle. She said the current system does not provide enough supervised driving experience for young drivers, and it does not protect them from some of the riskiest driving situations and that in order to best prepare our young citizens for a lifetime of safe driving, our licensing system must be changed to afford increased learning experiences in less risky situations.

The next proponent for **HB 2400** was Mike Watson, Director, Riley County Police Department. (Attachment #8) According to Mr. Watson, a graduated driver's license program would be a proactive measure to counteract the high crash rates among teens in Kansas and across the country. He said other states that have gone to GDL programs have seen positive results in lives saved through a comprehensive GDL program and that implementing a GDL program in Kansas is one way for law enforcement officers and lawmakers to work together to protect and serve the public.

The last proponent was Dr. Howard Rodenberg, Director, Division of Health. (Attachment #9) According to Dr. Rodenberg, Kansas statistics show that while teen drivers ages 15 - 18 account for only 6.7% of all Kansas registered drivers, they represent 20.1% of all crashes. He said according to the Kansas Department of Transportation, drivers ages 14 through 19 were involved in 17,978 crashes in 2004 for an estimated cost of \$653,832,300. He said the states who have responded to the national priority of protecting young drivers by raising their minimum driving ages and implementing GDL programs are experiencing the pay off. Dr. Rodenberg said, for example, after North Carolina adopted a three-phase licensing system, which included nighttime restrictions, the number of 16 year olds involved in motor vehicle crashes dropped 23 percent and the number of fatal collisions was cut in half. He said there was a similar pattern in California.

The Chairman asked if there were any additional proponents or any opponents. No one came forward. Chairman Hayzlett drew the Committee's attention to nine letters of written testimony in support of **HB 2400** and one letter of written testimony in opposition to this bill. After all questions from the Committee were answered, the Chairman closed the hearing on **HB 2400**.

CONTINUATION SHEET

MINUTES OF THE House Transportation Committee at 1:30 P.M. on February 15, 2007 in Room 519-S of the Capitol.

Chairman Hayzlett advised the Committee that they would be working bills on Monday and Tuesday.

There being no further business before the Committee the Chairman adjourned the meeting. The next meeting will be on February 19, 2007, at 1:30 p.m., in Room 519-S.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 2-15-07

NAME	REPRESENTING
Bill Otto	9th district
Paul Finner	self
Matt Ziesdorf	Lamar
Tom Lance	Lamar, Clear Channel
Capt Purinton-Day	KHP
Cindy D'Ercole	Kansas Action for Children
Pete Bodyk	KDOT
Tamm Lucas	KFB
Henry Tom	KDHE
Lori Haskett	KDHE
Tom Whitaker	Ks Motor Carriers Assn
Stagner	John Peterson
Dennis Miller	KDOT Right of Way
Amy Campbell	KABE

HOUSE TRANSPORTATION COMMITTEE

DATE 2-15-07

NAME	REPRESENTING
Deb Miller	KDOT
Jimi Harri	AAA
Robert Foss	University of North Carolina
Mike Watson	Kansas Assoc. of Chiefs of Police
Terry Heidner	KDOT
Cristy Reichert	KDOT
Maggie Thompson	KDOT
Ken Gulenkaut	KDOT
Deborah	KHP
Tara Griffith	State Farm Insurance
Jan Higelman	Safe Kids Kansas
Bob Alva	FAWA

STATE OF KANSAS

HOUSE OF REPRESENTATIVES

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COFFEY, AND WOODSON COUNTIES

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BILL OTTO

HB 2290

Why is one sign grandfathered and one sign not?

How do we know a business is opened a certain number of hours?

What happens if a sign was erected on a property and then the business closed? Must the sign come down?

What do you do when the highway once went through your town then the state moves the road? You are forced to have your business moved out of town along the new road before you can put up a billboard telling people what is offered in your community.

You will hear the same montra about loss of federal funds. Every time I drive down I-35 to Johnson County I see a huge Junk Yard with no fence. I thought Junk Yards were to be fenced. How come that business has not cost us our Federal Funds?

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Attachment # 1

Testimony of Paul Finney

House Transportation Committee

February 15, 2007

Mr. Chairman, members of the committee, thank you for the opportunity to speak today.

I am Paul Finney of Humboldt, where I have been involved in the historic preservation and rejuvenation of our downtown.

I am here as a supporter of HB 2290, which my attorney, Ed Bideau, who formerly served in this House, says should be titled the "Equity in Grandfathering Act."

Let me set the stage for this discussion.

In the hay days of our small towns such as Humboldt, when highway 169 went through the center of town, we had a vibrant downtown that included 13 gas stations and 17 churches. All passenger and freight traffic came through town on the highway or the Sante Fe Railroad. One could buy most of his needs downtown. People passing through patronized our stores and restaurants, bought gas and tires at our service stations, kept our motel and hotels busy.

Today our downtown is economically devastated. In the early 80s, KDOT re-routed US 169 around Humboldt and the damage was instant. This scenario has played out in small towns across the state, as many of you so painfully know. People today never see these little towns, just a sign at the exits, a story the movie "cars" told so well. In the traveler's mind, these towns might as well be ghost towns, and indeed many are headed in that direction.

But it is worse than just being by-passed. Lady Bird's anti-billboard law of the 1960s compounds the damage. In the name of scenic beauty, Congress passed the law championing her cause without anyone's mentioning that she was restricting a major advertising medium that competed with her TV stations.

This billboard control law has a very different effect around small towns than on the approaches to cities. There is ample commercial activity lining the freeways leading into our cities so that there are no issues of "spot" zoning. Drivers can see the stores and billboards dot the landscape advertising all manner of businesses. But the approaches to small towns are in agricultural areas where there is little commercial activity. Therefore one gets into issues of spot zoning.

Last year's SB 253 codified restrictions about spot zoning while simultaneously grandfathering multitudes of billboards erected in cow pastures with no business in sight or within miles. A legislative post audit of the legality of each billboard in Kansas would

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be interesting reading as to how they ever got there in the first place. I do not believe they all go back before Lady Bird's law.

My attempts last year to receive consideration in SB 253 were rebuffed by both the sign industry and KDOT. The train had left the station and was not taking any more passengers. It was a deal between the industry and KDOT. As the late economist Milton Friedman said, "The trouble with regulation is that the industry being regulated ends up controlling the process to its own advantage." The Kansas sign industry is based in our cities, and it does not want competition in small towns. One industry leader told me twice last year that he was tired of having people in my area ask him why I could get them a sign and he couldn't. He also told me that it was his idea to raise the permit fee to \$250 per sign to discourage entry into the market. Now that is not the free market capitalism that most of us believe made us the land of opportunity.

The heavy restriction of outdoor advertising is also what has made it lucrative, by limiting the supply.

When governments legislate to correct a perceived evil—in this case the blighting of our scenery along our roads—they nearly always create unintended consequences.

The unintended consequence in this case is the near impossibility of rural billboards, especially near towns that are by-passed and have little commerce or industry on the new road.

The informational signs announcing the existence of services in towns that KDOT erects do not have the pulling power of a commercial sign. They are also difficult to get and difficult to see as they are small.

Our small towns have produced our most famous Kansans including Alf Landon, Dwight Eisenhower, Bob Dole and Amelia Earhart, and most of our governors. Most of our presidents have come from small towns. Our nation's small towns have been the incubators of many of our greatest citizens who go off into the larger world and make great accomplishments.

Without flourishing stores and services, our small towns become much less attractive places to live. Unless we correct this problem, these towns will go into further decline.

Historic preservation is one avenue to save the buildings in our small towns. But without flourishing commerce, there will be no use for these buildings.

Government having helped create the demise of small town business districts by by-passing the towns and regulating signage nearly out of existence in these area, now offers some grants to restore the buildings it helped empty. This is a classic case of how government legislates to correct problems it created with previous legislation. And we wonder why our taxes go up.

We all love the beauty of nature which abounds in our rural areas. However there is another form of green needed in rural areas and that is the green of money from flourishing commerce.

Kansas Statute 68-2232 (w), amended last year by SB 253 does contain an escape clause for spot zoning. It adds after the prohibition: "...unless there actually exists a commercial or industrial activity as defined under subsection (d) of K.S.A. 68-2232, and amendments thereto."

However, a KDOT staff attorney yesterday disputed it's meaning. Therefore, I ask you to please pass HB 2290, The Equity in Grandfathering Act."

Then the law, being fair, from the same date, will treat everyone the same across the state.

**TESTIMONY BEFORE THE
HOUSE TRANSPORTATION COMMITTEE**

**REGARDING HOUSE BILL 2290
RELATING TO HIGHWAY ADVERTISING CONTROL ACT**

FEBRUARY 15TH, 2007

Mr. Chairman and Committee Members:

My name is Ken Gudenkauf, Legislative Liaison for the Kansas Department of Transportation (KDOT). I am here to provide testimony in opposition to the proposed amendments to the Highway Advertising Control Act as stated in HB 2290. This bill would allow outdoor advertising structures erected by local zoning authorities prior to July 30, 2006 (as a result of "spot zoning") to be considered legal conforming signs.

The Federal Highway Beautification Act considers "spot zoning" to be a state or a local zoning action created primarily to permit the erection of outdoor advertising structures (and is not part of comprehensive zoning). This action is not recognized for outdoor advertising control purposes by the Federal Highway Administration. KDOT had incorporated the prohibition against "spot zoning" in the bill passed last session to bring the state law into compliance with federal law.

If the proposed legislation were to be enacted, it would amend the Highway Advertising Control Act in a way that would contradict federal law. Thus, KDOT would be subject to a 10 percent reduction of federal funding for several highway programs. This negative impact would be approximately \$23.6 million for fiscal year 2008, or \$92 million over the next three fiscal years.

A reduction in federal funding may jeopardize completion of the Comprehensive Transportation Program.

Thank you for your time, I will gladly stand for questions.

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Attachment # 3

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TOPEKA

HOUSE OF
 REPRESENTATIVES
TESTIMONY

COMMITTEE ASSIGNMENTS
 RANKING DEMOCRAT: FEDERAL AND STATE AFFAIRS
 MEMBER: ECONOMIC DEVELOPMENT
 FINANCIAL INSTITUTIONS
 BOARD OF DIRECTORS: KANSAS INC.
 MEMBER: LEGISLATIVE POST AUDIT

Summary of Bill #2400
A bill concerning Graduated Drivers Licenses

Mr. Chairman and members of the committee, Thank you for this opportunity to brief you on House Bill 2400 which calls for the enactment of a Graduated Drivers License., the Graduated Drivers License Bill.

On the morning of February 21st 2003, sixteen-year-old Cody Gumm lost his life in a car wreck. Cody was the passenger in the car of a young, inexperienced driver whose poor decision making contributed to the accident. Unfortunately instances like this are occurring far too often. The leading cause of death among teenagers, ages 15-19, in the United States isn't drugs or shootings, but car wrecks. In 2002, 5,933 teenagers died in the U.S. from injuries sustained in car wrecks.

Bill #2400 concerning the adoption of a Graduated Drivers License program will save lives and make the roads of Kansas safer for drivers both our youth and seniors..

This issue is about preserving life and preventing and reducing fatalities among teens. This bill does not oppose teen driving. This bill opposes **unrestricted** teen driving.

This bill is not a punishment of our teens. It is a preservation of our teens. The true punishment is the punishment endured by grieving parents. Our liberal teen driving laws are taking our teens and taxing our economy. This bill is a reasonable and **responsible** change to an **irresponsible** and **outdated** law. HB2400 correctly calls for reasonable and responsible restrictions. We must provide our teen-children with protective restrictions. These restrictions will benefit them and us.

Clearly, we love and value our youth. Obviously Kansans value safe roads. Now the question is, will our policy support these values.

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In closing, I submit to you, many parents choose not to allow their children around guns, but give little or no thought to throwing them the keys to a **5,000 bullet**.

Mr. Chairman,

It is my hope that this committee will pass out HB2400 favorably for passage.

Respectfully Submitted,

Tom Burroughs



TESTIMONY, HB 2400

Presented by James R. Hanni,

Executive Vice President, Kansas Region & Public Affairs, AAA Allied Group

February 15, 2006

House Transportation Committee

AAA supports changes to the current licensing system in HB2400, recommended by the work of a citizen's task force, the Driving Force. The changes will help teens maximize the experience they need and minimize the risks to their safety reducing the number of car crashes, injuries and deaths.

We support the changes because the proposed system is proven to work as seen in many other states who have adopted similar features.

Finally, we support the changes because we know both parents and teens who have gone through a licensing system such as this approve of it.

Key Changes for effective reduction of car crashes:

- ◆ Preserve the Farm Permit. Research shows work-related crashes are minimal.
- ◆ One Year (Level I) Instruction Permit with adult supervision, as early as age 15. It gives teen experience that is proven to help reduce car crashes.
- ◆ An intermediate, "Restricted Driver's License" (Level II) stage. As early as age 16. Novice driver may drive without adult supervision, EXCEPT for just a few months longer, six to be exact, must continue adult supervised driving at night and with no more than one non-sibling passenger under age 21.
- ◆ Unrestricted license (Level III) as early as age 16 ½.
- ◆ Novice driver may advance to each level with no moving violations or seat belt infractions.
- ◆ No use of wireless devices while driving.

Basis of Our Support:

- ◆ All points made in Secretary of Transportation, Deb Miller's testimony. We concur that the size and scope of the injuries and fatalities involving novice drivers in Kansas is a public health epidemic, recurring year after year without being addressed like other public health issues. (**Chart A shows driver risk by age**)
- ◆ 45 out of 50 states have an intermediate stage of licensing in their graduated driver license system. Technically, without the intermediate stage, we lack a true *graduated* license system (GDL) (**See Chart B**).

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- ◆ While 64% of teen car crashes in Kansas occur in urban areas, 72% of all fatal car crashes occur in rural areas. For 15 and 16 year-old drivers in Kansas, 90% and 81%, respectively, of all fatal car crashes occur on rural non-interstate roads **(See Chart C)**.
- ◆ Teen car crashes affect all road users, not simply the teens involved. According to a 2006 AAA Foundation for Traffic Safety study, in Kansas, nearly six out of ten persons killed in a 15-17 year old driver crash are someone other than the 15-17 year-old driver **(Chart D)**.
- ◆ It addresses the need for gaining experience behind the wheel with adult supervision, and has dramatically reduced teen crashes in many other states.
- ◆ It protects novice drivers from their greatest exposure to car crash risk: driving at night and with other teen passengers **(Chart E)**. As proposed, these protections in the intermediate stage of licensing will result in a substantial reduction in car crashes for 16 year-old drivers, as is *proven* in other states **(N.Carolina Chart F)**.
- ◆ Parents and teens see a GDL system, like the one proposed, as reasonable and they strongly endorse it. There are no differences in approval between urban and rural, parents or teens **(See Charts G & H)**.

Conclusion

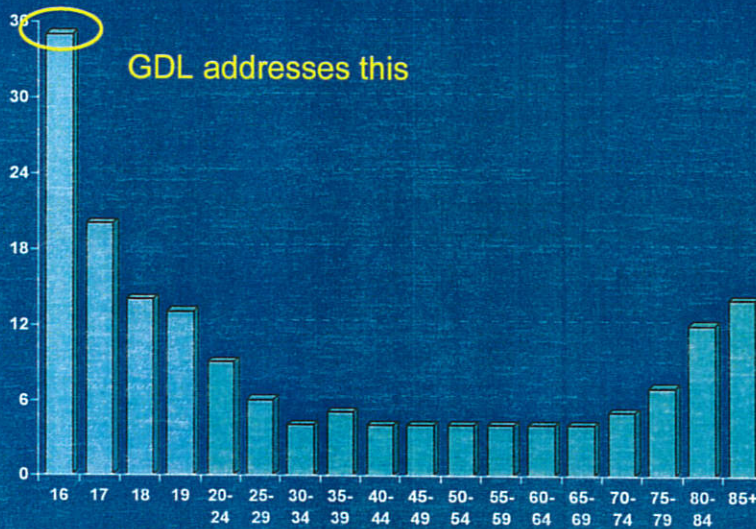
Because so many other states have enacted true GDL systems, there is plenty of evidence that GDL as proposed clearly works to reduce novice driver car crashes significantly. GDL Systems, like what is proposed for Kansas, produce 20-25% reductions in daytime crashes and 47-52% reductions in nighttime crashes.

In addition to parent and teen attitudes of approval and there is wide public support for improving our GDL system. Many organizations besides AAA, including Kansas Farm Bureau, support this bill. These changes will strongly benefit both rural and urban parents and teens, however, experience indicates greater reductions will occur for rural than for urban families.

There are few votes that can do more for the families of Kansas than an affirmative vote on this bill. On behalf of the safety of the families of the nearly quarter million AAA members we represent in Kansas, I urge you to vote this bill favorably out of the Senate Transportation Committee.

Crash Rates by Age

Driver crash involvements per million miles traveled



Source: A.F. Williams, Journal of Safety Research 34 (2003) 5-15

Chart A

The State of the States in GDL

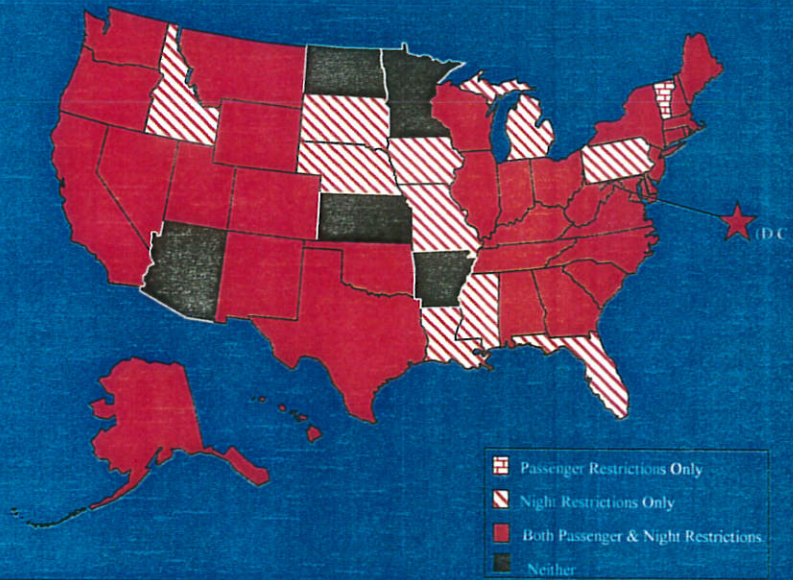


Chart B

Kansas Teen Crash location by driver age

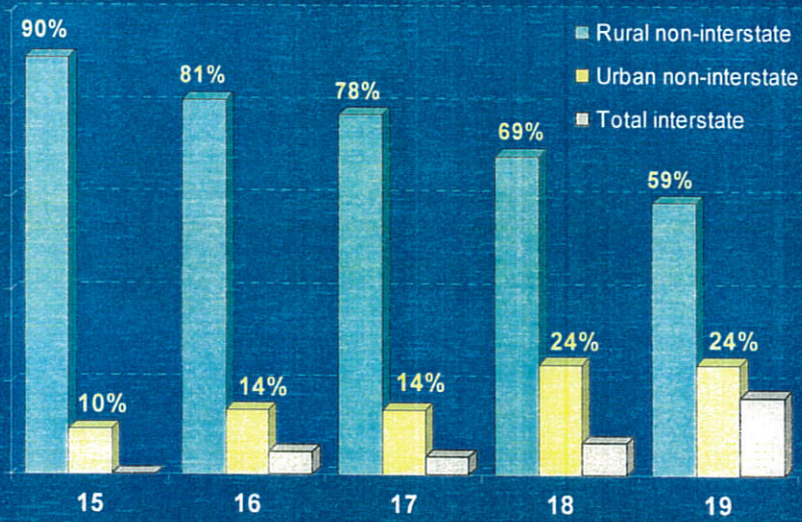


Chart C

Victim role in teen driver fatal crashes Kansas 1995 - 2004

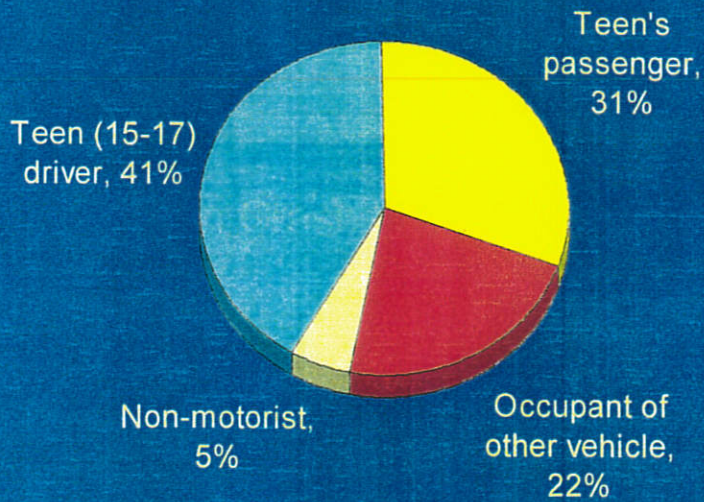


Chart D

Increased Risk of Driver Death by Number of Passengers and Driver Age

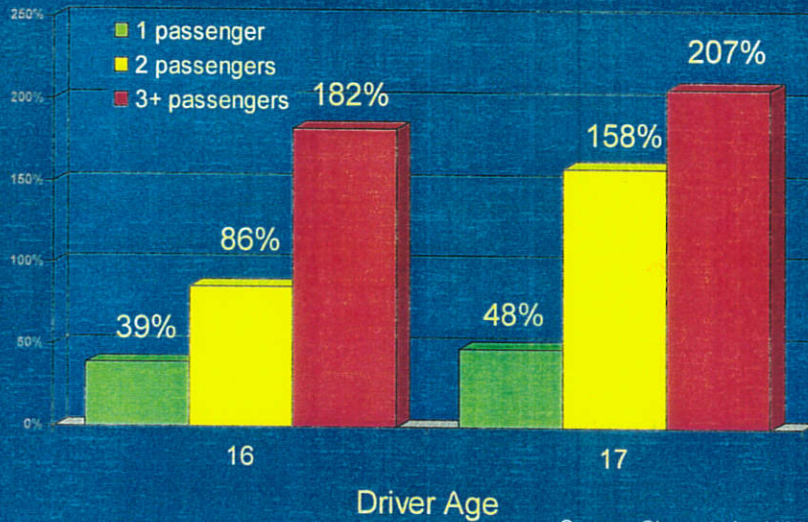


Chart E

Source: Chen et al., JAMA, 2000.

Crash Rate Ratios for 16 & 17 year-olds vs. 25-54 year-old, NC 1991-2003

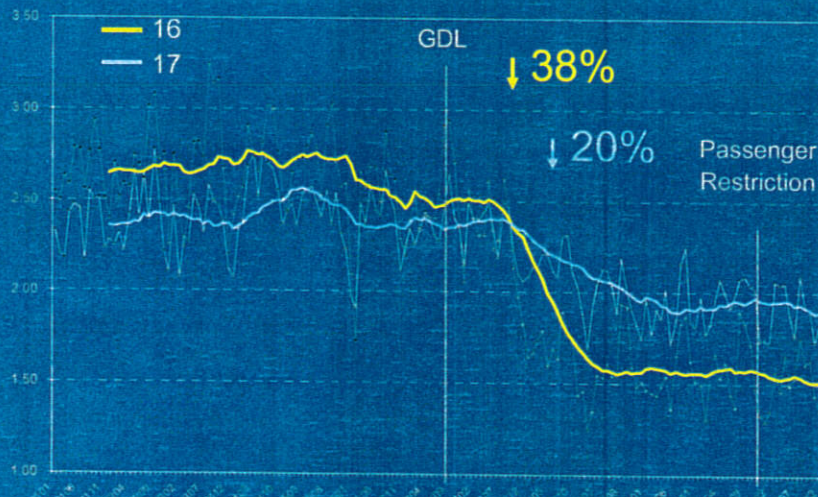


Chart F

Parents' overall opinion of GDL by residence

NC 1999

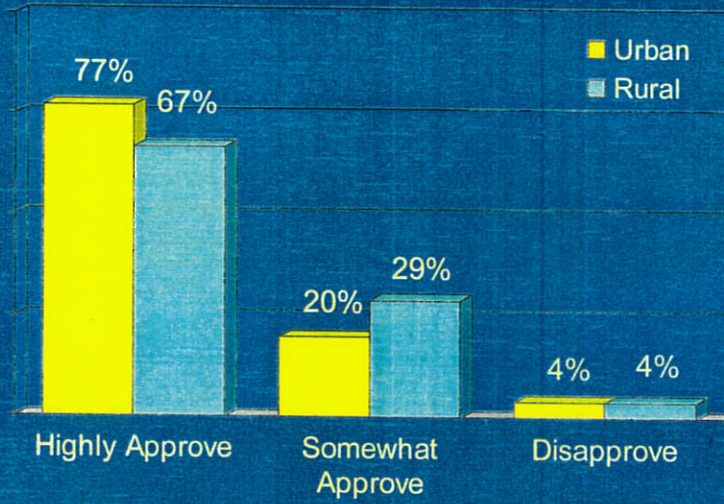


Chart G

Teens' overall opinions of GDL by residence

NC 1999

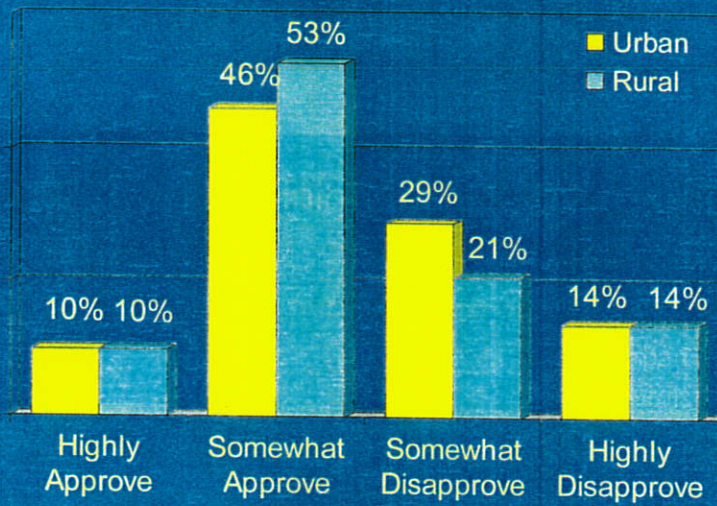


Chart H

**Testimony of
Robert D. Foss, PhD.
Director, Center for the Study of Young Drivers
Highway Safety Research Center
University of North Carolina at Chapel Hill**

**Regarding HB 2400
Kansas House Transportation Committee**

February 15, 2006

I was born in Hays, and spent several of my formative years in McPherson and Great Bend. As a teenager I worked summers on my grandfather's and uncle's farms in Pawnee county. Because Kansas will always be my home, I am particularly pleased to have the opportunity to speak to you about this bill which, if enacted, would enhance my native state's graduated driver licensing (GDL) system.

I have devoted much of my adult life to teaching young people about the joys, benefits and challenges of family life, and doing research to determine how to enhance the quality of family life. One major focus of my research has been the search for ways to prevent the emotional devastation that parents experience when a child is injured or killed. Because motor vehicle crashes are the main threat to the lives of children, much of my work has been concerned with preventing those crashes and the injuries that result.

Along with some of my colleagues, I recently completed a report for the Transportation Research Board of the National Academies of Science documenting known effective strategies to reduce young driver crashes. We reviewed the existing research literature throughout the world and worked with nearly two dozen national experts on teen driving to create this report. The conclusion of that effort is that, by far, the most important and effective thing that states can do to protect young drivers – and everyone who shares the road with them – is to enact a comprehensive graduated driver licensing (GDL) system.

My new home state, North Carolina, enacted a GDL system in 1997 and the results have been dramatic. Our research findings in North Carolina are particularly relevant since the proposed legislation would enact a system in Kansas that is highly similar to that in North Carolina, which is considered to have among the best young driver licensing systems anywhere. Within a couple of years after GDL was enacted in North Carolina, crashes declined by 38% and 20% among 16 and 17 year-old drivers respectively. More serious crashes – those involving a death or injury requiring medical treatment – declined even more dramatically (47% and 37% among 16 and 17 year-olds, respectively).

Our research indicates that, along with reducing crashes, GDL is overwhelmingly supported by parents. Though teens are less enthusiastic than parents, the majority of those who have experienced the system also support it. Only a tiny fraction of parents who have experienced the GDL process report any objections or dissatisfaction. Contrary to what is sometimes thought, by those who do not have teenagers, *parents see GDL as supporting them* rather than as interference in their parental prerogatives.

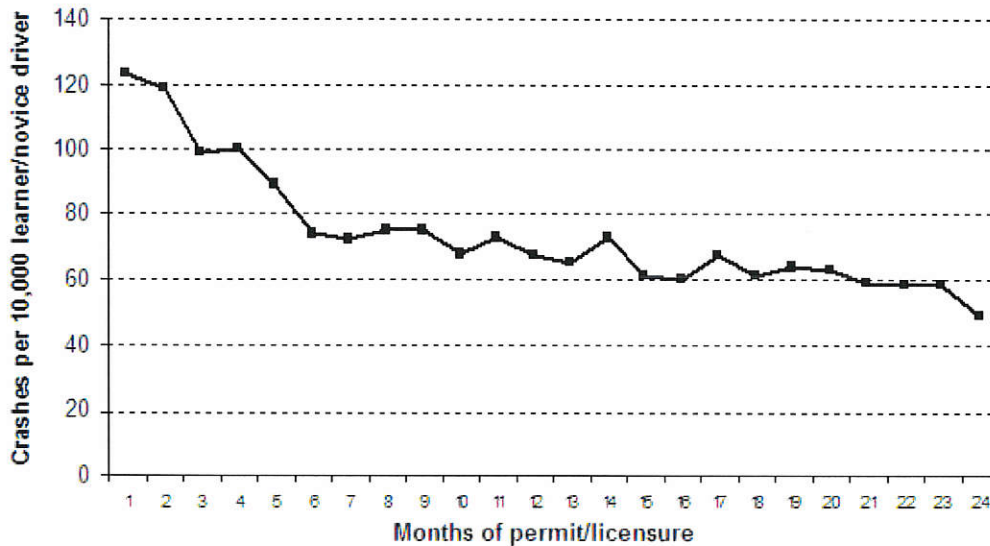
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Among the happy, unanticipated, benefits of GDL is that the extended period of parent-supervised driving appears to bring many parents and teens closer together. Substantial proportions of both parents and teens report enjoying the time spent in supervised driving. Both the crash reductions and the high rates of parent approval seen in North Carolina are confirmed by studies in other states as well. Crash reductions of 25 - 30% are routinely found in high quality studies of GDL programs in other states.

The proposed revisions to the Kansas young driver licensing system are solid, but they do not overreach, as is sometimes the case in traffic safety efforts. Although some national advocacy groups call for a complete ban on teen passengers, and several states have enacted such bans, the research evidence does not clearly indicate that carrying a single passenger is particularly risky. The recommended passenger restriction, allowing a single teen passenger, matches the evidence on teen driver risks. It will impinge only modestly on typical teen life, because *only about 11-12% of 16 year-old driver trips involve more than one passenger*. Only those relatively uncommon, but highly dangerous, trips would be prohibited for the first few months during which teens learn to handle unsupervised driving.

The proposed legislation is also modest, but solid, in that it proposes that protective restrictions (passenger and night driving limits) last only for the first six months of unsupervised driving. This closely matches the research evidence regarding teen driver risk. As is shown in Figure 1, crash risks are very high during the initial months of unsupervised driving, but decline fairly rapidly in the initial six months, followed by a much slower continuing decline for the next few years. Some national groups call for restrictions on teens to last until they are 18, though there is no clear evidence to support the need for such an extended period.

Figure 1. Novice driver crash risk by month of licensure



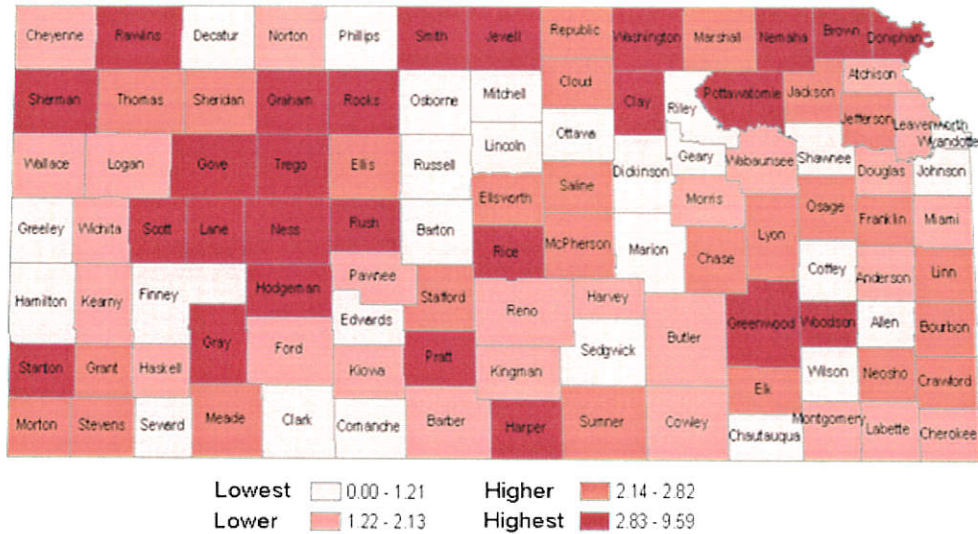
Source: Mayhew, Simpson & Pak (2003)

Rural vs. Urban Crash Risks

In view of what we in the research community know about young driver risks and the effects of GDL, it is clear that the greatest benefit of the proposed revision to the Kansas driver licensing system will be among teens living and driving in rural areas. This is because rural driving is more dangerous, especially for the least experienced drivers. Figure 2 shows the rate of fatal and

serious injury crashes per capita for Kansas counties during 2001 to 2005, clearly indicating that the more urban counties tend to have the lowest rates and the most rural experience substantially higher rates.

Figure 2. Average annual teen (14 – 17) fatal and serious injury crash rates per 10,000 population by county, 2001 – 2005.



Source: Kansas DOT, Chart by UNC-CH

Rural roads most dangerous

Most fatal crashes in Kansas occur on rural, non-interstate roads. There are many reasons for this. Although the opportunity to collide with another vehicle is less in a rural area:

- Rural roads tend to be older, less safely designed and less well maintained
- Rural travel speeds are generally higher (increasing both crash likelihood and severity)
- Nighttime lighting is generally poor on rural roads
- Emergency rescue services are more widely dispersed in rural areas
- Crashes are less likely to be reported quickly, especially if they involve only one vehicle – which is much more likely in rural areas.

The crash fatality rate per mile traveled on rural, non-interstate roads in Kansas is three times that for all other roads. By virtue of their lack of experience, young drivers are less able to handle any risky driving situation. That is particularly true for rural driving.

Because of this greater risk to rural teens, a graduated driver licensing system that protects novice drivers from the greatest crash risks, as they gain the driving experience that enables them to become safe drivers, is particularly valuable in a rural state like Kansas.

Rural families strongly endorse GDL and its components

Legislators representing rural areas are sometimes understandably concerned that the conditions necessary to ensure novice driver safety may be unduly burdensome to families living in small towns and rural areas. To examine the kinds of problems that rural residents might experience with a GDL system, we interviewed families whose teens were in, or had completed, the first two

stages of the GDL process. Comparing families who live in rural v. urban/suburban areas, it is clear that, as a group, rural families favor GDL as strongly as those living in suburban/urban areas (96% of both groups approve). Rural families (86%) are as likely as urban/suburban families (88%) to approve of the 6-month, night driving restriction (which begins at 9 p.m.). They are equally as likely to say that the 12-month learner permit period is either “about right” or “too short” (93% rural v. 94% urban/ suburban). There was no passenger restriction when these interviews were conducted, so we do not know about approval rates. More recent research indicates, however, that most parents require their teens to comply with the passenger restriction, suggesting that they support that as well as the other elements.

Summary

Graduated driver licensing dramatically reduces novice teen driver crashes. It is broadly endorsed by parents and it is also supported by teens to a degree that is surprising to many. Despite their different living circumstances and travel patterns, rural parents approve of GDL and its particular elements to the same degree that urban/suburban parents do.

In our interviews and discussions with several thousand families, parents repeatedly comment that holding teens to the protective restrictions that parents sense are appropriate is much easier for them to do when the state has incorporated them in its driver licensing system. I believe the parents of Kansas will be every bit as happy with the proposed GDL system as parents elsewhere have been.

**TESTIMONY BEFORE
HOUSE TRANSPORTATION COMMITTEE**

**REGARDING HOUSE BILL 2400
Graduated Drivers License**

February 15, 2007

Mr. Chairman and Committee Members:

My name is Deb Miller, Secretary of the Kansas Department of Transportation. I am here to provide testimony in support of House Bill 2400, an act relating to age requirements and limitations on driver's licenses. This legislation was one of the many recommendations from the *Driving Force*, a task force studying ways to reduce fatalities and injuries on Kansas roadways. According to research data provided by the National Highway Traffic Safety Administration (NHTSA), Graduated Driver Licensing (GDL) is a countermeasure with proven effectiveness in reducing novice driver crashes.

Motor vehicle crashes are the leading cause of death and serious injury for teenagers in Kansas as well as the United States. Nationally, motor vehicle crashes represent 39 percent of deaths for people between the ages of 16 and 20. In 2005, Kansas drivers aged 14 through 19 were involved in more than 16,000 crashes on Kansas roadways; wherein eighty teens were killed and more than 7,000 were injured. Although they make up only 7 percent of licensed drivers, young novice drivers are over-represented in crashes. They are involved in 13 percent of fatal crashes, and 20 percent of all crashes.

Two of the riskiest situations for young drivers to encounter are nighttime driving and driving with other teenage passengers in the vehicle. The most effective GDL systems restrict nighttime driving as well as limit the number of other teenage passengers in the vehicle. Statistics clearly illustrate that Kansas' current licensing system is not effective in reducing teen crashes. The current system does not provide enough supervised driving experience for young drivers, and it does not protect them from some of the riskiest driving situations. In order to best prepare our young citizens for a lifetime of safe driving, our licensing system must be changed to afford increased learning experiences in less risky situations.

NHTA released a report in June 2006 evaluating GDL systems across the United States. The report showed an 11 percent to 32 percent reduction in fatal crashes involving novice drivers after enactment of an effective GDL system. It is also important to note that funding for driver education must continue. Driver education courses provide a base of knowledge to young drivers that can be built upon as they progress through the GDL system. An effective system will incorporate driver education to provide basic beginner knowledge along with an opportunity for young drivers to gain needed experience in the least risky of situations.

House Transportation
Date: 2-15-07
Attachment # 7

OFFICE OF THE SECRETARY OF TRANSPORTATION
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Driving Force Recommendation Graduated Driver's Licensing in Kansas

7-2

CURRENT

PROPOSED CHANGES

	Instruction Permit	Instruction Permit
Age	Minimum 14 years old	Minimum 15 years old
Testing Required	Vision Written	Vision Written
Driver Education Required	No (permit is used to take driver education)	No (Driver Education is required to be taken during the Instruction Permit period)
Accompanied by a licensed driver at all times?	Yes	Yes. Supervising driver must be in front seat.
Wireless use restriction	No	No use of wireless devices while driving.
Seatbelt Use	Secondary Law	Primary Law for permit holder while driving. Seat belt violation committed by driver will be considered a violation of restriction.

	Farm Permit	Farm Permit
Age	Minimum 14 years old but less than 16 years old	Minimum 14 years old but less than 16 years old
Testing Required	Vision Written Drive (if not previously completed a Driver Education course)	Vision Written Drive (if not previously completed a Driver Education course)
Driver Education Required	No	No
Driving Restrictions	Yes Can drive unsupervised: <ul style="list-style-type: none"> • To and from school (no school activities) • To, from or in connection with any farm related work 	Yes Can drive unsupervised: <ul style="list-style-type: none"> • To and from school (but not to school activities) • To, from or in connection with any farm related work
Passenger Restriction	Yes. May not transport any non-sibling minor passenger.	Yes. May not transport any non-sibling minor passenger.
Wireless use restriction	No	No
Seatbelt Use	Secondary Law	Primary Law for permit holder while driving. Seat belt violation committed by driver will be considered a violation of restriction.

CURRENT

PROPOSED

	Restricted Driver's License	Restricted Driver's License
Age	Minimum 15 years old but less than 16 years old. Must have had an instruction permit for at least six months, Any person under age 16 with a restricted license, that is convicted of 2 or more moving violations will remain restricted until age 17.	Minimum 16 years old and have held an Instruction Permit for 12 months with no moving violations, seat belt infractions, or improper wireless device use committed within preceding 6 months.
Driver Education Required	Yes	Yes
Driving Restrictions	Yes Can drive unsupervised: <ul style="list-style-type: none"> • To and from school (no school activities) • To, from or in connection with employment or farm-related work 	Yes Can drive unsupervised: <ul style="list-style-type: none"> • Between the hours of 5 am – 9pm (Includes driving to school) • Or, when driving directly to or from work
Passenger Restriction	Yes. May not transport any non-sibling minor passenger.	Yes. When driving without a supervising driver, no more than one passenger under age 21 unless they are members of the immediate family.
Required Number of driving hours	Prior to age 16, applicant must provide affidavit showing at least 50 hours of adult supervised driving, with 10 of those hours being at night. If affidavit is not provided prior to age 16 the driver will remain restricted until age 17 or until affidavit is provided, whichever comes first.	Prior to receiving a Restricted Driver's License, applicant must provide affidavit showing at least 50 hours of adult supervised driving, with 10 of those hours being at night.
Wireless use restriction	No	No use of wireless devices while driving.
Seatbelt Use	Secondary Law	Primary Law for permit holder while driving. Seat belt violation committed by driver will be considered a violation of restriction.

	Non-Restricted Driver's License for 16 & 17 year olds	Non-Restricted Driver's License for 16 & 17 year olds
Age	Minimum 16 years old but less than 18 years old.	Minimum 16.5 years old but less than 18 years old and have held a Restricted Driver's License for 6 months with no moving violations, seat belt infractions, or improper wireless device use committed within preceding 6 months.
Testing Required	Vision Written Drive (if not previously completed a Driver Education course)	Vision Written
Driver Education Required	No	Yes
Required Number of driving hours	Driver must provide affidavit showing at least 50 hours of adult supervised driving, with 10 of those hours being at night, by a licensed driver at least 21 years old, and signed by a parent or guardian.	Hours are required prior to receiving Restricted Driver's License.
Wireless use restriction	No	No use of wireless devices while driving.
Seatbelt Use	Secondary Law	Primary Law for permit holder while driving. Seat belt violation committed by driver will be considered a violation of restriction.

**Testimony on HB 2400
to
House Transportation Committee**

**Presented by
Director Mike Watson
Riley County Police Department
Kansas Association of Chiefs of Police**

February 15, 2007

Good afternoon, Mr. Chairman and members of the committee. My name is Director Mike Watson, and on behalf of the Riley County Police Department and the Kansas Association of Chiefs of Police, it is a pleasure to appear before you today in support off House Bill 2400.

Law enforcement agencies all too often respond to injury and fatality crashes involving teens. All too often, it's a lack of experience, too many passengers, or the distraction of an electronic device that contribute to the crash. One of the saddest things for us to do is tell a parent or guardian that their child was severely injured or killed in a crash that could have been prevented with more experience and maturity behind the wheel. It's equally difficult to tell someone's spouse and children their loved one isn't coming home because they were struck by teenager who didn't know how to drive in snow or rain or because the teen driver was showing off for his/her friends. In small communities, such as those throughout Riley County, traffic crashes involving teens are devastating. It is unfortunate that tragedies like these are sometimes what it takes to compel teens to be more responsible drivers.

A Graduated Driver's License (GDL) program would be a proactive measure to counteract the high crash rates among teens in Kansas and across the country. The numbers before you from the Kansas Department of Health and Environment and the Kansas Department of Transportation show that Kansas is no different from the rest of the United States when it comes to the high proportion of teens involved in motor vehicle crashes. Other states that have gone to GDL programs have seen positive results in lives saved through a comprehensive GDL program. Implementing a GDL program in Kansas is one way for law enforcement officers and lawmakers to work together to protect and serve the public.

Law enforcement agencies recognize this legislation may pose some challenges in enforcing the GDL rules. However, enforcing the stipulations of a GDL program cannot be half as difficult as telling a parent their child was severely injured or killed in a vehicle crash. I ask that you give us the tools we need to save more teens from being killed or killing others on Kansas roadways. The Riley County Police Department and the Kansas Association of Chiefs of Police support House Bill 2400, and I am happy to answer questions you have at this time.

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House Transportation
Date: 2-15-07
Attachment # 8



Kathleen Sebelius, Governor
Roderick L. Bremby, Secretary

DEPARTMENT OF HEALTH
AND ENVIRONMENT

www.kdheks.gov

Division of Health

Testimony on HB 2400

To

House Committee on Transportation
February 15, 2007

By Howard Rodenberg, MD, MPH
Director, Division of Health

Kansas Department of Health and Environment

Chairman Hayzlett and members of the Committee on Transportation, my name is Howard Rodenberg and I am the director of the Division of Health at the Kansas Department of Health and Environment. Thank you for the opportunity to appear before you today in support of House Bill 2400, which proposes to strengthen graduated drivers licensing laws (GDL) in Kansas.

Unintentional injuries kill more young Kansans than any other cause, and motor vehicle crashes result in nearly half of these deaths. In 2002, more than 5,000 teens ages 16 to 19 died of injuries caused by motor vehicle crashes nationally (CDC 2004). Crash rates among young drivers age 16 –19, per mile driven, are higher than those for all other age groups and the crash risk among 16 to 17 year old drivers is almost three times as high as among 18 to 19 year olds drivers. (Insurance Institute for Highway Safety)

Kansas statistics show a similar pattern. While teen drivers ages 15 – 18 account for only 6.7% of all Kansas registered drivers, they represent 20.1% of all crashes. Fifty -one Kansas kids died and 5,993 more were injured as a result of car crashes in our state in 2004 (Kansas Department of Transportation, 2004). According to the Kansas Department of Transportation (KDOT) drivers ages 14 through 19 were involved in 17,978 crashes in 2004 for an estimated cost of \$653,832,300.

Graduated Driver licensing programs have become an increasingly popular approach to managing the serious problem of high rates of fatal and nonfatal crashes among beginning drivers. These programs vary from state to state, but most are designed to provide novice drivers the opportunity to gain driving experience in less risky circumstances, typically implementing a combination of provisions such as those described in the Johns Hopkins study cited below. Forty

one states and the District of Columbia have already instituted some form of GDL that includes two phases prior to full licensure.

The effectiveness of Graduated driver licensing laws as a prevention strategy has been widely demonstrated. According to a study conducted by researchers at the Johns Hopkins Bloomberg School of Public Health, graduated driver licensing programs reduce incidence of fatal crashes of 16 year old drivers by an average of 11 percent. Using data from 1994-2004 collected by NHTSA's Fatality Analysis Reporting System and the US Census Bureau the study group examined fatality outcomes with the number of components contained in the respective graduated drivers license law. Seven components commonly found in graduated license laws were chosen for analysis and these included: 1) a minimum age of 15 ½ for obtaining a learner permit; 2) a waiting period after obtaining a learner permit of at least 3 months before applying for an intermediate license; 3) a minimum of 30 hours of supervised driving; 4) minimum age of at least 16 years for obtaining an intermediate state license; 5) minimum age of at least 17 years for full licensing; 6) a nighttime driving restriction; 7) a restriction on carrying passengers. Comparing states with five of these program components to states without graduated driver licensing programs, the researchers reported an 18 percent difference in fatal crashes involving 16 year old drivers. Programs with six or seven components were associated with a 21 percent reduction. The authors concluded that the most comprehensive graduated driver licensing programs result in the best reduction of fatal crashes of 16 year old drivers.

The states who have responded to the national priority of protecting young drivers by raising their minimum driving ages and implementing GDL are experiencing the pay off. For example, after North Carolina adopted a three-phase licensing system, which included nighttime restrictions, the number of 16 year olds involved in motor vehicle crashes dropped 23 percent. The number of fatal collisions was cut in half. Similarly, during the first three years after California enacted legislation restricting those younger than 18 from driving with passengers younger than 20, an estimated eight lives were saved and almost 700 injuries prevented in averted crashes.

The national 2005 crash statistics indicate that headway is being made in reducing crash deaths, thanks in large measure to the success of graduated licensing, which phases in full driving privileges among beginners. Deaths of 16 and 17 year-olds in passenger vehicles fell 8 percent in 2005, to 1,631 from 1,773 the year before. Among 13-19 year-olds, deaths fell 6 percent and have declined about 40 percent since 1975. The death rate per population of teens is the lowest on record. Still, we have a long way to go. In 2005 teens accounted for 12 percent of motor vehicle deaths and only 10 percent of the US population. Fatal crashes involving young drivers typically involve a single vehicle plus driver error and/or speeding. The crashes often occur when other young people are in vehicles driven by teens, so teenagers are disproportionately involved as passengers as well as drivers. Of the 4,440 teenagers killed in passenger vehicle crashes last year, 45 percent were passengers. Sixty-one percent of these deaths occurred in crashes in which another teenager was driving. (Insurance Institute for Highway Safety November 21, 2006)

It is time for Kansas to act on the evidence base that calls for graduated drivers licensing. Enacting a Graduated Drivers License bill will save lives and reduce injuries to Kansas teens.

Thank you again for the opportunity to provide this information to the committee. I will be happy to answer any questions you might have.