

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on February 9, 2009, in Room 783 of the Docking State Office Building.

All members were present except:

Representative Jerry Henry- excused

Committee staff present:

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

Conferees appearing before the committee:

Representative Margaret Long
Chris Maurich, ABATE of Kansas, Inc.
Major Mark Bruce, Kansas Highway Patrol
Pete Bodyk, Manager, KDOT, Traffic Safety Section

Others attending:

See attached list.

The next meeting is scheduled for February 10, 2009.

The meeting was adjourned at 2:30 p.m.

Chairman Hayzlett called the meeting to order. He opened hearings on **HB 2131**.

HB 2131 - Disabled veterans license plates, defining disabled veterans.

Chairman Hayzlett recognized Chris Maurich, lobbyist for ABATE of KS. (Attachment #1) According to Mr. Maurich under current statute, if a disabled veteran is eligible for a Kansas handicapped tag, they may not be eligible for a disabled veteran tag due to the disability rating granted by the Veterans Administration. Mr. Maurich asked the Committee's support to pass **HB 2131** which would allow disabled veterans who otherwise meet the criteria for a Disabled Veteran tag but are rated under 100% and allow the VA rating of 50% or greater to be the percentage required for the issuance of a Disabled Veteran license plate.

There were no other proponents and no opponents. After all questions were answered the Chairman closed the hearing on **HB 2131**.

The Chairman opened the hearings on **HB 2132**.

HB 2132 - Regulating traffic; prohibiting certain texting.

Chairman Hayzlett recognized Major Mark Bruce, Kansas Highway Patrol. (Attachment #2) According to Captain Bruce the ability to safely operate a vehicle diminishes as attention is divided in the performance of multiple tasks such as driving and sending, reading or writing text messages. He said situational awareness decreases, reaction time increases, braking effectiveness is lessened and vehicle speed goes unchecked with the result being an increased likelihood that a driver is unable to avoid an otherwise avoidable accident or that one or a combination of these driving skill impediments causes a collision. He concluded by asking for support of **HB 2132**.

The next proponent was Pete Bodyk, Manager of the Kansas Department of Transportation's Traffic Safety Section. (Attachment #3) According to Mr. Bodyk, a study conducted by Virginia Tech and the National Highway Traffic Safety Administration found that nearly 80 percent of traffic crashes are caused by some form of driver inattention within three seconds before a crash. He said in a recent AAA survey, 46 percent of teens admitted to texting while driving. He concluded by saying KDOT supports **HB 2132** which would inform people of what is an acceptable, safe, legal way to conduct themselves when driving.

CONTINUATION SHEET

Minutes of the House Transportation Committee at 1:30 p.m. on February 9, 2009, in Room 783 of the Docking State Office Building.

The Chairman recognized Representative Long. (Attachment #4) According to Representative Long there are seven states who already have bans on text messaging while driving because of the great risk to public safety. She said a recent study found that text messaging while driving causes a 400 percent increase in time spent with eyes off the road. She concluded by asking for support of **HB 2132**.

There were no other proponents and no opponents.

Chairman Hayzlett closed the hearings on **HB 2132**.

Chairman Hayzlett opened the hearings on **HB 2135**.

HB 2135 - Regulating traffic, proceeding on red light.

The Chairman recognized Chris Maurich as the first proponent. (Attachment #5) Mr. Maurich explained that most traffic lights are controlled by a sensor. Traffic signals change when an insulated wire buried in the pavement at an intersection detects a fluctuation in the magnetic field caused by metal in a vehicle. He said a car, which has a lot of steel in it, acts like the core of an inductor triggering the computerized traffic light box at the intersection. According to Mr. Maurich motorcycles, mopeds and bicycles do not contain enough metal to trip the induction loop sensors to activate a change in the signal. He said **HB 2135** will allow for traffic signals not sensing small vehicles. He said the drivers of small vehicles would be able to proceed, after stopping, with caution if the traffic signal malfunctions or does not recognize the presence of a vehicle.

There were no other proponents and no opponents.

Chairman Hayzlett closed the hearings on **HB 2135**.

It was the Chairman's desire to work **HB 2146**. He asked staff to explain this bill to the Committee members.

The Chairman drew the Members attention to written testimony from Leslie Kaufman, Executive Director, Kansas Cooperative Council. (Attachment #6) Ms. Kaufman had wired this testimony in from out of state and it was not received until after the hearing on **HB 2146**.

Chairman Hayzlett opened **HB 2146** to the members for questions, discussion or motions. Representative Menghini made a motion to pass this bill, seconded by Representative Swanson and the motion carried.

Representative Peck asked to be recorded as a No vote as did Representative Wolf.

The Chairman opened **HB 2147** to the Committee for questions, discussion or motions. Representative Menghini made a motion to pass this bill favorably out of committee. A balloon amendment was offered which would add the words "any" on line 18 and "roadway" on line 19 in Section (a). The amendment would add the words "or the transportation of hazardous material" to line 25 in Section (b). A motion was made by Representative Burgess to adopt the balloon amendment. Representative King seconded the motion and the motion carried. Representative Burgess then made a motion to pass **HB 2147**, as amended, seconded by Representative King and the motion carried.

There being no further business before the Committee the meeting was adjourned at 2:30 p.m.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 2-9-09

NAME	REPRESENTING
Terry Heidner	KDOT
CHRIS MAURICH	ABATE of KANSAS
Bob Payne	
Jim Hannu	AAA Kansas
JEAN MILLER	CAPITOL STRATEGIES
Callie Cooco	Hearney + Associates, Inc.
Bill Sneed	State Farm
KEVIN GREGG	KMCA
Mary Faltz	KDOR
CAMMIE ALDMITH	KDOR
Terry Mitchell	LEDOR
Dina Fisk	VERIZON WIRELESS
Chris Gigstad	Federico Consulting
Lori Haskell	KDHE
Mike Seabo	DT&T
MARK BRUCE	KHP
Leslie Kaufman	Ks Coop Council
Joe Mosier	Hein Law Firm
Wanda Lee Smith	KMHA

Honorable Chairman, members of the committee,

I am Chris Maurich, ABATE of Kansas,inc. and I am a proponent of HB2131, a bill concerning Disabled Veteran license plates. Under current statute, if a disabled veteran is eligible for a Kansas handicapped tag, He or She may not be eligible for a Disabled Veteran tag due to the disability rating granted by the Veterans Administration. Many states have taken action that allows for a disabled Veteran tag as long as the applicant meets the criteria for a medical doctors concurrence as well as a VA rating of 50% or greater. Kansas statute states that the veteran must be rated 100% disabled by the VA. I would like you to consider the proposed change in a favorable manner, and allow those disabled veterans that otherwise meet the criteria, but are rated under 100% and allowing the VA rating of 50% or greater to be the percentage required to allow the issuance of a Disabled Veteran license plate.

I have provided copies of several states that do allow a lower percentage for a VA rating to be the approving figure, as well as a doctor's validation.

House Transportation
Date: 2-09-09
Attachment # 1

These are examples of what states require, some of these are our neighboring states. Kansas is included as well to provide what our state requires. Wisconsin, Oklahoma, Louisiana, Colorado, Alaska, California, Kansas

Alaska



To apply for disabled veteran's license plates with parking privileges, an applicant must submit the following documentation of a mobility impairment and proof of service related disability:

- An original Application for Disabled Parking Identification, completed in full by both the applicant and their Alaska licensed physician.**
- A certificate from an agency of the United States federal government, including the veteran's administration, stating the person has a service related disability.**

Louisiana

To view Louisiana Statutes: <http://www.legis.state.la.us/>

ELIGIBILITY

Mobility impaired persons who have a permanent impairment OR veterans who have a 50% or more service-connected disability are eligible for the mobility impaired license plates

REQUIREMENTS

Each initial application must be accompanied by a currently dated medical examiner's statement (DPSMV 1966 form) certifying that the applicant is mobility impaired OR, in the case of a disabled veteran, an affidavit from the Veterans Affairs Office attesting to the veteran's disability. The medical examiner's certification must state how long the physical condition which qualifies applicant for a handicapped plate is expected to last. A disabled veteran is considered to have a permanent impairment. "Medical examiner" is defined as a person

Prior to issuing a special license plate to a disabled person or disabled veteran, the department shall require the submission of a certificate, in accordance with paragraph (2), signed by the physician and surgeon, or to the extent that it does not cause a reduction in the receipt of federal aid highway funds, by a nurse practitioner, certified nurse midwife, or physician assistant, substantiating the disability, unless the applicant's disability is readily observable and uncontested.

-161

Chapter 8.--AUTOMOBILES AND OTHER VEHICLES Article 1.--GENERAL PROVISIONS



Kansas

8-161. Disabled veterans registration and license plates; free; parking privileges; penalties.

(a) Any disabled veteran as defined in K.S.A. 8-160, and amendments thereto, who resides in Kansas and who makes application to the director of vehicles on a form furnished by the director for registration of a motor vehicle that is a passenger vehicle or a truck with a gross weight of not more than 20,000 pounds and is owned or leased and

by this section, or who falsely utilizes the parking privilege accorded by this section, shall be guilty of an unclassified misdemeanor punishable by a fine of not more than \$250.

History: L. 1951, ch. 102, § 2; L. 1953, ch. 45, § 2; L. 1957, ch. 60, § 1; L. 1973, ch. 28, § 1; L. 1975, ch. 30, § 5; L. 1975, ch. 427, § 6; L. 1981, ch. 35, § 2; L. 1986, ch. 36, § 10; L. 1991, ch. 35, § 1; L. 1999, ch. 125, § 4; July 1.

**Testimony on House Bill 2132
House Transportation Committee**

**Prepared by
Major Mark Bruce
Kansas Highway Patrol**

February 9, 2009

Good afternoon Mr. Chairman and members of the committee. My name is Mark Bruce and I appreciate the opportunity to appear before you today regarding House Bill 2132. This bill would prohibit the driver of a vehicle from sending, reading or writing a text message.

At some point following the advent of the automobile, distractions within vehicles began to jeopardize the safety of the motoring public. Over the years, it has become commonplace to see people, eating, reading, shaving and applying make-up as they travel upon the nation's streets and highways. These distractions existed long before the technological gadgets currently available as options in vehicles today or other devices such as mobile phones with text messaging capabilities that provide a temptation for drivers to divide their attention.

Driving for many has become a leisure activity similar to watching television or reading a book. Rarely do these and other leisure activities result in death or serious injury. That is most certainly not the case when it comes to the hazards associated with driving. The volume of traffic on our highways in the 21st century and the legal speed at which vehicles can travel demand our undivided attention.

It is no surprise that the ability to safely operate a vehicle diminishes as our attention is divided in the performance of multiple tasks such as driving and sending, reading or writing text messages. Our situational awareness decreases, reaction time increases, braking effectiveness is lessened and vehicle speed goes unchecked. The result is an increased likelihood that a driver is unable to avoid an otherwise avoidable accident or that one or a combination of these driving skill impediments causes a collision.

It is the Kansas Highway Patrol's position that the common-sense components associated with House Bill 2132 will enhance the safety of the motoring public. Accidents will be prevented, lives will be saved, injuries will be reduced and property damage minimized.

Again, the Kansas Highway Patrol appreciates the opportunity to provide its input regarding this bill. It is our hope that the committee favorably considers the enhancements it will make to traffic safety in our state.

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

**TESTIMONY BEFORE
HOUSE TRANSPORTATION COMMITTEE**

**REGARDING HOUSE BILL 2132
RELATED TO TEXTING WHILE DRIVING**

February 9, 2009

Mr. Chairman and Committee Members:

I am Pete Bodyk, Manager the Kansas Department of Transportation's Traffic Safety Section. I am here to provide testimony in support of House Bill 2132, prohibiting texting while driving.

Simply put, texting causes a driver to be distracted, and distracted drivers lead to fatalities.

Since the reading, writing, or sending of text messages is a fairly new phenomenon, there isn't much available data on crashes caused while texting, but texting while driving certainly takes a person's concentration away from the road. A study conducted by Virginia Tech and the National Highway Traffic Safety Administration (NHTSA) found that nearly 80 percent of traffic crashes are caused by some form of driver inattention within three seconds before a crash. That's all it takes, a few seconds. When these individuals crash, they don't just hurt themselves, they injure or kill other traveler's on the road

In a recent AAA survey, 46 percent of teens admitted to texting while driving. This is very alarming considering that while teens only make up about 6 percent of drivers in Kansas, they make up 23 percent of all crashes.

Currently, seven states and the District of Columbia ban texting while driving, and numerous other states are considering such bans. An additional nine states ban texting while driving by novice drivers. We try to do all we can to make our roads as safe as possible for the motoring public, but even with all of the safety programs out there, only so much can be accomplished without laws that inform people of what is an acceptable, safe, legal way to conduct themselves when driving in Kansas. Far too many lives are lost on our highways each year; any law that removes a distraction from a driver will contribute to making all travelers in Kansas safer.

We are very please to stand in support of this legislation with the Kansas Highway Patrol. Thank you for your time, I will gladly stand for questions.

House Transportation
Date: 2-09-09
Attachment # 3

STATE OF KANSAS

MARGARET E. LONG
THIRTY SIXTH DISTRICT REPRESENTATIVE
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TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
TRANSPORTATION
ENERGY AND UTILITIES

LEGISLATIVE HOTLINE 1-800-432-3924
SPEECH-HEARING IMPAIRED (785) 296-8430

Re: HB 2132

Putting a ban on texting while driving is not a new idea.

Text messaging has rapidly become a favorite form of communication for millions of Americans.

“Texting while driving takes the driver’s attention away from the road, which can lead to accidents,” said Peter Carmel, MD, AMA Bd member. “A recent study found that text messaging while driving causes a 400 percent increase in time spent with eyes off the road. No one should have to worry that other drivers are focused on texting instead of traffic. This is about keeping people safe on our roads.”

Seven states - Alaska, California, Connecticut, Louisiana, Minnesota, New Jersey and Washington - and the Dist. of Columbia already have bans on text messaging while driving because of the great risk to public safety. The AMA will support additional states in their quest to ban text messaging by motorists. In addition, the new AMA policy encourages physicians to educate patients on the public health risks associated with driving while distracted with text messages and cell phones.

I respectfully ask for your support in passing this bill for public safety.

A handwritten signature in cursive script that reads "Margaret Long".

Rep. Margaret Long
36th District

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

Do Emergency Text Messaging Systems Put Students in More Danger?

The rush to use text messaging as an emergency notification system fails to consider the weaknesses and potential hazards of this solution

By **John Bambenek** and **Agnieszka Klus**

Cell phones have become prevalent on college campuses. Most students use them as their primary phone to avoid changing phone service every year or dealing with university-based long-distance charges. In the wake of recent college shootings and threats of violence on campus, administrators have begun to deploy cell phone solutions to send emergency messages to students. Many believe that emergency text messaging systems will minimize the damage (specifically loss of life or injuries) in an emergency situation, including natural disasters.

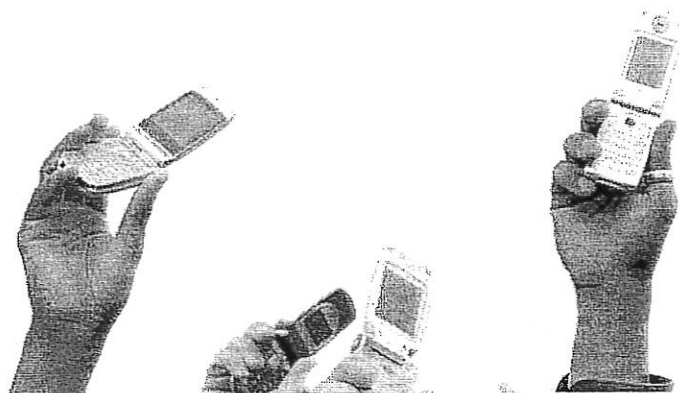
Despite the speed with which such systems are being deployed (some even mandated by law), little attention has been given to the efficacy and implications of such technologies. Crisis communication services must demonstrate several characteristics to meet the requirements for emergency operation:

- Extremely high reliability
- Excellent access control
- High-speed delivery

Does text messaging meet these requirements? No.

Short Message Service Text Messaging

Among different messaging options, short message service (SMS) has become very popular. A key design feature is its relative simplicity. The downside? The SMS protocol is not only insecure but can't be made secure. The protocol handles only the bare necessities of getting



messages of no more than 160 characters from one device to another. Among the features SMS generally does *not* include are error checking, guaranteed delivery, and speed of delivery. In normal situations, this does not matter.

While e-mail and Internet services have defenses such as virus scanners to provide security against attacks, the SMS messaging protocol does not. Additionally, cell phones cannot perform the complex tasks of security and authentication. As a result, false messages to cell phones are extremely difficult to prevent, and more people are seeing spam SMS messages on their cell phones, especially as more services support the technology.

SMS messages do not require the sender to use a cell phone. Most cell phone providers offer an SMS gateway, however, so each phone has an e-mail address. For instance, a Verizon Wireless customer with a cell phone number of 312-555-1212 would have a phone e-mail address of 3125551212@vtext.

Cellular providers also provide web interfaces so that individuals can send SMS messages using a web-based form. Both these tools allow people anywhere in the world to send an SMS message to any cell phone user without authenticating the sender.

An additional vulnerability with SMS messaging was recently discovered. Researchers from Pennsylvania State University demonstrated the possibility of overwhelming a cellular network by sending a flood of SMS messages to users in the same geographical area. A successful attack would effectively shut down not only the ability to send SMS messages but also the ability to make normal cell phone calls (denial of voice service, or DoVS).¹

Clearly, SMS messaging lacks reliability, access control, and speed of delivery (when the number of messages is high). SMS messaging simply does not meet the requirements of crisis communications systems because it was never designed for high-stakes communication.

found no connection between shooter Cho Seung-Hui and the individuals in West Ambler Johnston Hall or any indication that Cho had planned an attack on Norris Hall specifically.

The Virginia Tech Review Panel specifically cited the police as having erred in not considering other scenarios than a domestic dispute for the first shooting. This charge was repeated in the media and campus community. The problem with this line of thinking is that it assumes a finite number of possibilities. In reality, the Virginia Tech incident was unique in the sparse history of college campus shootings. At that moment, the police had no historical frame of reference to make the leap between a seemingly isolated shooting to a mass casualty incident.⁵

This analysis of incident response has important implications for emergency text messaging systems. Administrators in future will err on the side of extreme caution because “another Virginia Tech” may happen, and this mentality is also present among the staff and students of other universities. They insist on being notified of any violent incident or threat of a violent incident so that they can protect themselves. This all but ensures over-utilization of emergency communication systems in general. More importantly, it creates a cultural mindset that will respond immediately and unquestioningly to emergency text messages (or other emergency communication) as if another Virginia Tech-like incident were imminent. Fear-based responses make people more likely to trust authentic looking communication without analysis, a potential hazard discussed below.

The review panel also found miscommunications during the response to the shooting that could have complicated an effective response. The first problem was that when the initial call to 911 came in, the dispatcher had a difficult time understanding exactly where the shooting was taking place.⁶ It takes time to communicate a report to police so that they have enough information to respond.

The shooting in Norris Hall lasted approximately 11 minutes. Given the time it took to communicate to dis-

patchers the location of the shooting, an emergency text message would have started being received minutes after the shooting ended. This delay further encourages administrators to warn the campus community and lock down the campus at the first indication of trouble—and the campus communities demand as much.

St. Xavier University Closing

The presumed purpose of a text messaging system is to alert individuals to an active threat. The institution thus obligates itself to send SMS alerts over any significant act of violence, regardless of circumstances. In many cases, this would result in a lockdown of the campus.

With such a low threshold for sending out alerts, the probability that people will recklessly abuse the system and cause a lockdown rises. In the cases of Oakland University⁷ and St. Xavier University,⁸ threatening graffiti in campus buildings forced the schools to shut down completely. In the case of St. Xavier, four schools surrounding the university were closed as well.

St. Xavier remained closed for eight days while the threat was investigated. Because only graffiti was involved, the forensic evidence available was minimal. With such a low threshold to shut down not only a college but also surrounding institutions, it is entirely plausible that a student who wants to shut down a campus might turn to graffiti or other pranks.

While this scenario does not directly bear on emergency text messages, it does illustrate a sociological consequence of adopting such systems; namely, administrators must respond as if they were facing the absolute worst-case scenario. The cultural reaction to alerting systems all but forces their overuse by administrators and unquestioning compliance with emergency instructions by recipients.

Leading Victims to the Threat

While the possibility of using false text messages is not inconsequential, there is a more significant risk: A hostile entity could use a forged emergency text message to lead victims to the threat instead

of away from it. This scenario is not hard to imagine—it has happened before.

In 1998, the Real IRA (an Irish Republican Army splinter group) phoned in a bomb threat indicating a courthouse in Omagh, Northern Ireland, was the target. There is some debate whether the confusion was intended or accidental. Unfortunately, the lack of prosecution of those responsible means we may never know.

The car bomb was not at the courthouse, however, but in the city center. As part of the standard bomb threat response procedures in Northern Ireland, the area around the courthouse was secured and bystanders were moved to the city center—a safe distance. The city center and the associated businesses stayed open while police investigated the threat. The bomb in the city center exploded, killing dozens of people. The destruction and loss of life was more severe because of the confusion over the actual target.

With the deployment of emergency text messaging systems using an insecure protocol, it becomes possible for a malicious individual to use such technology to achieve the same result. Any notification system could be misused this way, but emergency text messaging systems are particularly vulnerable and easier to exploit.

False Text Messaging

Every moment, thousands of spam e-mail messages clog inboxes and mail servers. Most of these messages are forged to varying extents. More malicious e-mails, such as phishing attacks, purposely try to appear as if they come from legitimate sources. The more legitimate looking the e-mail, the more likely a phishing attack will succeed.

Because emergency text messaging systems often rely on e-mail to deliver messages, a malicious individual halfway around the world could send a fake emergency text message without difficulty. The method for sending forged e-mail is well known and trivial—every e-mail client can be set to send e-mail that appears to come from someone else. While any communication system can be compromised, e-mail is inherently insecure and easy to forge.

Conclusion

The question remains, can text messaging systems protect a campus population? Or do they put people at more risk? Any emergency communication system must be reliable, with controlled access and fast delivery. Not only does text messaging fall short in all three areas, recent campus shooting incidents demonstrate that these systems would not have helped during the emergencies, only supporting supplemental crowd control afterwards.

Any form of communication has benefits and costs. Despite the apparent advantages of text messaging as an emergency service, opportunities abound for overuse, and the possible hazards are exacerbated by the common willingness of people to comply promptly with emergency messages. In addition, the potential for abuse is high, especially since trivial incidents can lock down an institution. The use of such systems would all but paralyze normal voice communications, increasing anxiety—and perhaps danger—in a heightened threat environ-

ment. Finally, because of the triviality of sending a fake text message, the sender could not only shut down a campus but actually lead students and staff toward a threat instead of away from one.

Emergency text messaging can be useful in announcing school closings or facilitating crowd control. Given the sociological context in which these systems are implemented and the perceptions surrounding them, however, it is possible to manipulate a campus population for malicious purposes from anywhere in the world. We can only conclude that the use of text messaging tools is woefully insufficient and dangerous for use in emergencies. *e*

Endnotes

1. William Enck, Patrick Traynor, Patrick McDaniel, and Thomas La Porta, "Exploiting Open Functionality in SMS-Capable Cellular Networks," presented at the 12th ACM Conference on Computer and Communications Security 2005, Alexandria, Virginia, November 8–10, 2005, <http://www.smsanalysis.org/smsanalysis.pdf>.
2. "Active Threat Information," Division of Public Safety, University of Illinois at Urbana-Champaign, <http://www.dps.uiuc.edu/activethreat.htm>.
3. See the news story "6 Shot Dead, Including Gunman," at Northern Illinois University," CNN, February 14, 2008, <http://edition.cnn.com/2008/US/02/14/university.shooting>.
4. See the news story "Virginia Tech Shootings Timeline," CNN, April 17, 2007, <http://edition.cnn.com/2007/US/04/17/timeline.text/index.html>.
5. Virginia Tech Review Panel, "Report of the Review Panel," August 2007, <http://www.governor.virginia.gov/TempContent/techpanelreport.cfm>.
6. Ibid.
7. Jesse Dunsmore, "Multiple Threats Close Campus," *The Oakland Post*, April 16, 2008, http://www.oaklandpostonline.com/read_article.php?id=297.
8. CBS News, "4 Local Schools Close Due to Threats at St. Xavier," CBS 2 Chicago, April 14, 2008, <http://cbs2chicago.com/local/saint.xavier.threats.2.699041.html>.

John Bambenek (bambenek@control.csl.uiuc.edu) is a Research Programmer and Agnieszka Klus (aklus2@csl.uiuc.edu) is a graduate student in Accounting at the University of Illinois at Urbana-Champaign.

Honorable Chairman & members of the committee,

I am Chris Maurich, ABATE of Kansas,inc. I am a proponent of HB2135, an act regulating traffic, concerning traffic-control lights.

Most traffic lights are controlled by a sensor. Traffic signals change when an insulated wire buried in the pavement at an intersection detects a fluctuation in the magnetic field caused by metal in a vehicle. When you're in a car (which has a lot of steel in it), idling right behind the crosswalk, the car acts like the core of an inductor, causing the loops of wire under the asphalt to trigger the computerized traffic light box at the intersection. Basically, your car is telling the light that a roadway user is at the intersection.

Often, motorcycles, mopeds and bicycles do not contain enough metal to trip the induction loop sensors which activate a cycle change of the signal.

This bill will allow for traffic signals not sensing a small mode of transportation, and it is not a means for drivers to ignore traffic lights. Vehicles and other roadway users are still required to stop. The steps for traffic flow are the same as if there is a stop sign, a driver will be able to proceed with caution if the traffic signal malfunctions or does not "recognize" the presence of a motorcycle, moped, and bicycle or in some cases, an automobile.

House Transportation
Date: 2-09-09
Attachment # 5



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House Transportation Committee

February 5, 2009
Topeka, Kansas

HB 2146 - Increasing fees for oversize permits.

Chairman Hayzlett and members of the House Transportation Committee, thank you for the opportunity to comment on HB 2146. We do have concerns with the overall push to increase agency fees, but in terms of HB 2146, taken alone, we will comment as "neutral" today. I am Leslie Kaufman and I serve the Kansas Cooperative Council as Executive Director.

The Kansas Cooperative Council represents all forms of cooperative businesses across the state -- agricultural, utility, credit, financial and consumer cooperatives. Approximately half of our members are grain elevator/farm supply cooperatives.

We understand the state's fiscal position at this time, and the need to fill budget gaps with non-SGF revenues. The fee increases proposed HB 2146 will impact and increase the cost of doing business for our members. Although we appreciate the state's budget troubles, our members are not anxious to see their fees (some would even say "taxes") increased. Taken alone, the additional costs are not insurmountable, but this is just one of several fee increases proposed this session which, when added together, will be noticeable.

Currently, increases in pesticide and fertilizer fees, dairy inspection fees, and weights and measures fees under the Kansas Department of Agriculture, state water plan fee increases on pesticide, fertilizer and stock watering, and permit fees proposed in HB 2146 will impact our member cooperatives and their own individual members. As you consider HB 2146, we respectfully request you consider it part of an overall increase in the cost of doing business in Kansas.

If you have any questions regarding our testimony, please feel free to call me. Thank you.

Leslie Kaufman, Executive Director
Kansas Cooperative Council (785-220-4068)

House Transportation
Date: 2-9-09
Attachment # 6