

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on March 11, 2009, in Room 783 of the Docking State Office Building.

All members were present except:

Representative Burgess
Representative Henry
Representative King
Representative Peck
Representative Schwartz

Committee staff present:

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

Conferees appearing before the Committee:

Major Mark A. Bruce, Kansas Highway Patrol

Others attending:

See attached list.

Chairman Hayzlett called the meeting to order. He opened the hearing on **SB 145**.

SB 145 - Regulating traffic, driving in right lane, required, exceptions.

The Chairman Recognized Major Mark Bruce. (Attachment #1) According to Major Bruce **SB 145**, with a general exception for emergency/maintenance vehicles, would prohibit all vehicles from driving in the far left lane, except when overtaking or passing another vehicle, preparing to make a proper left turn. He said the Kansas Highway Patrol understands and supports the intent of this bill to facilitate and enhance the orderly flow of traffic. He said they have a minor concern with this bill but supports the intent of **SB 145** to discourage slower moving vehicles from blocking the flow of traffic.

There were no other proponents and no opponents so after all questions were answered Chairman Hayzlett closed the hearing on **SB 145**.

The Chairman introduced Steve Phillips, President of Kansas Association of Airports. (Attachment #2) Mr. Phillips gave some background information about the Kansas Airport Improvement Program which was funded at \$3 million per year to improve the declining pavement conditions at Kansas' 143 airports. He said even though there have been significant improvements in pavement quality since 1999, Kansas still falls far short of its goal of providing each Kansan access to an air ambulance within 30 miles during bad weather. Mr. Phillips listed four additional investment needs. He also listed four needs for the new Comprehensive Transportation Plan. They include 1) Preservation of existing airport pavements, 2) Provide all-weather access for emergency medical services, 3) Fund 10 percent of total airport infrastructure needs, and 4) Respond to economic development opportunities. He also listed several revenue strategies. After his presentation, he stood for questions from the Committee.

When there were no more questions for Mr. Phillips, the Chairman opened **SB 37** to the Committee for discussions, questions and motions.

Representative Menghini made a motion to pass out SB 37, seconded by Representative Kleeb. Representative Menghini made a second motion, seconded by Representative Kleeb to amend the original motion to add "workside utility vehicle", motion carried. Back on SB 37, as amended. Representative Kleeb made a motion to strike Section 2, Subsection C, seconded by Representative Vickrey, the motion passed with Representatives Proehl, Worley, Swanson, Long and Rardin voting "no". Representative Menghini made a motion to adopt the language provided by the Motor Vehicle Division of the Department of Revenue to add the definitions of ATV and Micro-Utility Vehicles, seconded by Representative Kerschen, the motion carried. Back on SB 37, as amended. A motion was made by Representative Menghini to pass SB 37, as amended.

CONTINUATION SHEET

Minutes of the House Transportation Committee at 1:30 p.m. on March 11, 2009, in Room 783 of the Docking State Office Building.

seconded by Representative Kleeb, motion carried with Representatives Long, Rardin and Swanson wanting to be recorded as voting "no."

There being no further business to bring before the Committee, the Chairman adjourned the meeting at 3:05 p.m. The next meeting will be on March 12, 2009.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: Mar 11, 2009

NAME	REPRESENTING
STEVE PHILLIPS	Kansas Association of Airports
MARTIN MILLER	Ks. Assoc. of Airports
Tom Chandler	KS Assoc of Airports
Deann Williams	KDOT
Tom Whitaker	KMCA
Terry Heidner	KDOT
Matt Casey	GTA
Sean Milicec	CAPITOL STRATEGIES

**Written Testimony on Senate Bill 145
House Transportation Committee**

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

March 11, 2009

The Kansas Highway Patrol appreciates the opportunity to provide written testimony on Senate Bill 145. This bill concerns vehicles being driven in the right lane and would amend K.S.A. 8-1522.

During the 2008 Legislative Session, the proposed amendments being discussed this afternoon were introduced in Senate Bill 689. The Kansas Highway Patrol, although supportive of the bill's intent, expressed some concerns relative to its application. Those concerns were addressed in an amended version of Senate Bill 689 and have been incorporated into Senate Bill 145 as well. We appreciate the legislature's willingness to work with us in this regard.

Senate Bill 145, with a general exception for emergency/maintenance vehicles, would prohibit all vehicles from driving in the far left lane, except when overtaking or passing another vehicle, preparing to make a proper left turn, otherwise directed by traffic control devices, or otherwise required by law. The Kansas Highway Patrol understands and supports the intent of this bill to facilitate and enhance the orderly flow of traffic.

As a minor concern, current law requires motorists to move away from law enforcement vehicles, emergency crews, and other workers who are providing roadside services. This work occurs on both the left and right shoulders of the highway, thereby requiring traffic to move to either lane to provide a safer distance between moving traffic and roadside personnel. The provisions of Senate Bill 145 could confuse drivers as to which law has priority and cause an unintentional traffic mishap. However, we believe common sense, exercised by drivers and law enforcement officers, should eliminate or minimize this concern.

The Kansas Highway Patrol supports the intent of Senate Bill 145 to discourage slower moving vehicles from essentially blocking the flow of traffic. We also are in favor of the one year warning period that would allow us and our traffic safety partners to educate the motoring public of this new requirement.

Again, the Patrol is appreciative for being given the opportunity to provide written testimony to the committee. If you have any questions or if you would like for us to provide follow-up information please let us know.

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KANSAS AIRPORT FUNDING NEEDS AND REVENUE STRATEGIES

March 10, 2009

Background – Beginning in 1999, the Kansas Airport Improvement Program (KAIP) was funded at \$3 million per year to improve the declining pavement conditions at Kansas' 143 airports. Significant improvements have been made in pavement quality since that time, but Kansas still falls far short of its goal of providing each Kansan access to an air ambulance within 30 miles during bad weather. Construction inflation since 1999 has greatly reduced the improvements that can be funded with the \$3 million annual budget.

Additional investment needs include:

- Instrument approaches for 52 county airports
- Improvements in instrument approaches that are out-of-date
- Investment in Automated Weather Observation Systems
- Contingency funds for airport improvements needed for local economic development projects

Needs for New Comprehensive Transportation Plan

Need 1. Preservation of existing airport pavements. Protect the investment made by KDOT over the last 10 years, adjusted for inflation and construction costs. **\$6 million/year**

Need 2. Provide all-weather access for emergency medical services within 30 miles of every Kansan. Improve 5 airports per year for 10 years @ \$800,000/airport. **\$4 million/year**

Need 3. Fund 10 percent of total airport infrastructure needs over the next 10 years. Elected officials submit 13 million dollars annually in projects geared towards improvements that would help airports meet today's design standards. **\$1.3 million/year**

Need 4. Respond to economic development opportunities with airport infrastructure improvements for new and expanding employers. **\$2 million/year**

Revenue Strategies

Per Gallon Aviation Fuel Tax. Not currently used. 63 million gallons @ .03. \$1.9 million/year.

Reduce/eliminate exemptions to aviation fuel sales tax. Starts @ \$1.4 million/year.

Require larger sponsor match for all-weather projects.

PERSPECTIVE

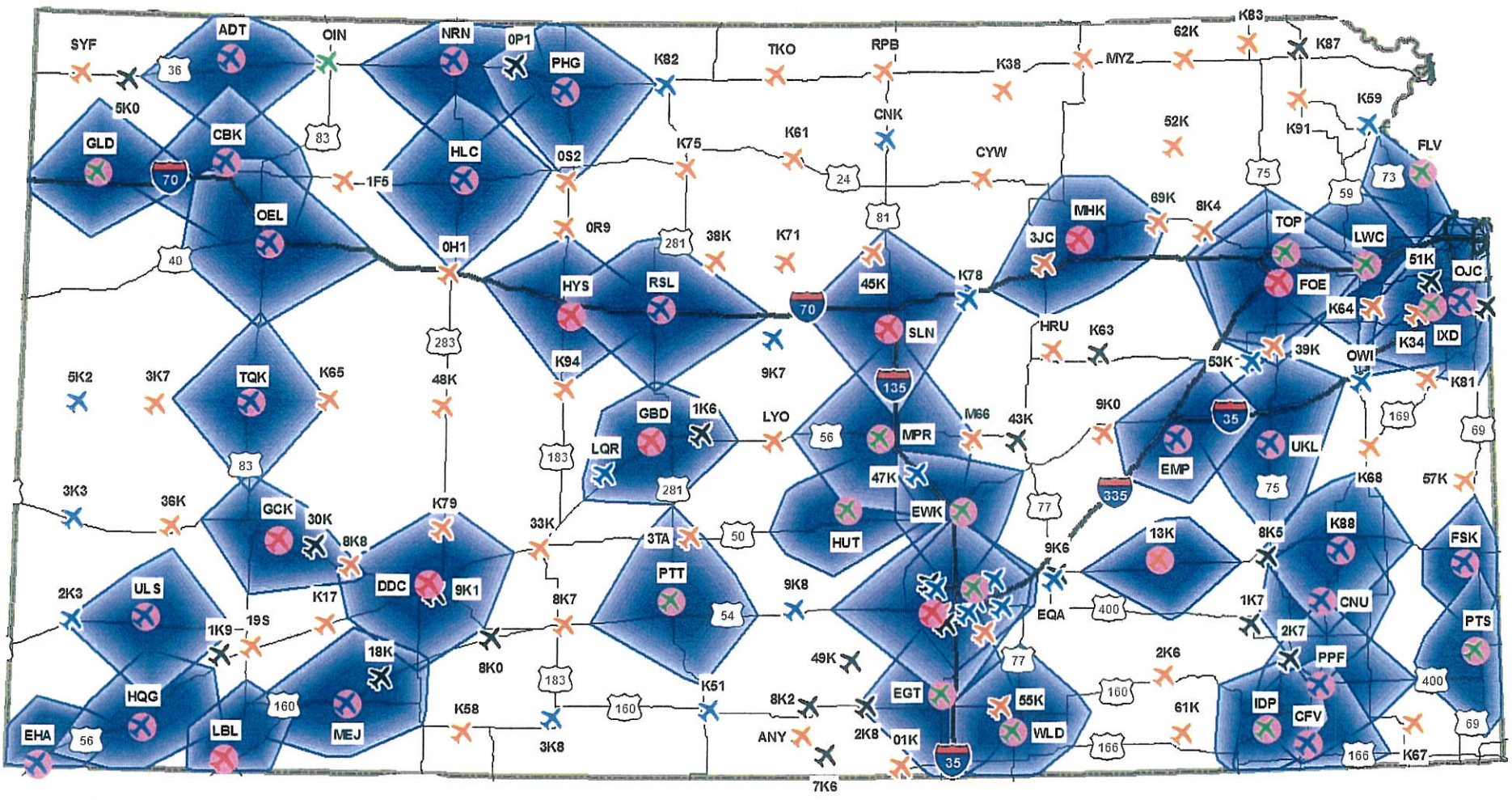
1. Kansas spends: \$2/Federal Dollar Spent on Highways.

10 cents/Federal Dollar Spent on Airports.

2. KDOT's Aviation Budget is .0022 of its total budget. Less than one-quarter of 1%.

3. Aviation fuels sold in Kansas are subject to the state sales tax, and these monies go to the general fund.

House Transportation
Date: 3-11-09
Attachment # 2





GREELEY COUNTY FAMILY PRACTICE CLINIC

Robert P. Moser, M.D.
Wendel J. Ellis, D.O.
Randall Fahrenholtz, M.D., M.P.H.
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February 25, 2009

Ed Young
Director of Aviation
Dwight D. Eisenhower State Office Building
700 S.W. Harrison
Topeka, Kansas 66603-3754

Dear Mr. Young,

As a family physician in a rural area of our state, access to air ambulances is critical to our ability to respond to emergencies. Sometimes that access is severely limited due to weather. During a six month period in 2008, Tribune had six medical flights diverted or not made due to instrument meteorological conditions. One of those emergency flights was diverted to Scott City whereupon in the middle of the night I rode in a land ambulance with the local EMS crew and patient. The patient nearly died en route and the forty minute delay at ambulance speeds to the nearest IFR-accessible airport placed the patient and us at greater risk. This incident alone has spurred me to determinedly address the lack of an IFR approach at our own airport as soon as practical.

As a pilot and member of the local airport advisory board I make recommendations to our Unified Greeley County supervisors. We are in the process of requesting an IFR approach but I understand the delay for completion may be over two to three years. It is for this reason I write to request your aid in placing a priority for state and federal funds toward an IFR approach not only for 5K2, Tribune, but also for other rural Kansas airports without an IFR approach that would benefit their respective medical communities' response to emergencies. Any guidance you can provide us is appreciated.

Respectfully,

Randy Fahrenholtz, M.D., M.P.H.
Greeley County Health Services

Cc: Steve Phillips, president, Kansas Association of Airports