

Approved: 6/23/09 _____
Date

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 8:30 a.m. on March 17, 2009, in Room 136-N of the Capitol.

All members were present except:

Senator Anthony Hensley- excused

Committee staff present:

Mike Corrigan, Office of the Revisor of Statutes

Bruce Kinzie, Office of the Revisor of Statutes

Jill Shelley, Kansas Legislative Research Department

Cindy Shepard, Committee Assistant

Others attending:

See attached list.

The Chairman called for final action on **HB 2143 - Driver's licenses; restrictions.**

Following discussion, Senator Donovan moved, Senator Marshall seconded, to recommend **HB 2143** favorably for passage. Motion carried.

Bruce Kinzie reviewed the Senate's 2010 Comprehensive Transportation Plan (CTP), proposed bill draft 9rs0979. Jill Shelley provided the committee with an overview of differences between **HB 2382** (House CPT), current CPT law, and Senate CTP (Attachment 1). Review of the fiscal changes proposed in the Senate CTP, based on the March 16, 2009 bill draft, was distributed and discussed (Attachment 2). Discussion followed.

The meeting was adjourned at 9:20 a.m. The next meeting is scheduled for March 18, 2009.

CURRENT LAW (1999 CTP)		HB 2382		Senate Bill	
68-2314a	(a) authorizes secretary to initiate a comprehensive transportation program	Sec. 1	(a) no change	Sec. 1	(a) no change
	(b) program "shall provide for the construction, improvement, reconstruction and maintenance of the state highway system," including		(b) adds "The program shall provide for the selection of projects which will allow for the flexibility to meet emerging and economic needs."		(b) same as House version
	(b)(1) a maintenance program so that surfaces of highways and bridges "shall be maintained or improved"		(b)(1) refers to "preservation projects" rather than to a "maintenance program"		(b)(1) same as House version
	(b)(2) construction and reconstruction to "improve service, comfort, capacity, condition, economy or safety" for highways or to "replace or rehabilitate bridges that have a deteriorated condition or that have deficiencies in load carrying capacity, width or traffic service"		(b)(2) capacity and economic opportunity projects, which include additions to the transportation system or which improve access, relieve congestion and enhance economic development opportunities. [KDOT] shall develop and utilize criteria for the selection of capacity and economic opportunity projects. The selection criteria shall include, but not be limited to, engineering data, local consultation, geographic distribution and an economic impact analysis evaluation;		(b)(2) same as House version
			(b)(3) modernization projects, which include improvements to the transportation system by widening lanes, making geometric improvements, upgrading interchanges or building rail grade separations to improve the safety, condition or service of the highway system. [KDOT] shall develop and utilize criteria for the selection of modernization projects. The selection criteria shall include, but not be limited to, engineering data, local consultation and geographic distribution. [NOTE: does not mention economic impact analysis, as does (b)(2)]		(b)(3) same as House version
	(b)(3) \$1.05B to be spent on system enhancements that "substantially improve safety, relieve congestion, improve access or enhance economic development" 7/1/99-6/30/09		(b)(4) substantially the same, but no dollar amount		(b)(4) adds that is is the Legislature's intent that, as nearly as possible, \$2.455 billion shall be expended or committed for system enhancements for the period 7/1/2010 - 6/30/2019
	(b)(4) demonstration projects to demonstrate "advanced and innovative pavement technologies which may include financing, design, construction and performance guarantee; demonstration projects need one comply with 68-410 (lowest bidder) or 75-430a (publish notice of intent)		(no mention of demonstration projects)		(no mention of demonstration projects)
			KDOT "shall develop criteria for the incorporation of practical improvements into designs of the projects specified in this subsection."		same as House version
	(c) the CTP is to assist cities and counties in meeting their road and bridge responsibilities, with expenditures including		(c) no change		(c) same as House version
	(c)(1) apportionment of the special city and county highway fund		(c)(1) no change		(c)(1) same as House version
	(c)(2) sharing federal aid		(c)(2) no change		(c)(2) same as House version
	(c)(3) city connecting links		(c)(3) no change		(c)(3) same as House version
	(c)(4) railroad crossings		(c)(4) no change		(c)(4) same as House version
			(c)(5) programs that allow local governments to exchange federal aid funds for state funds		(c)(5) same as House version
	(d) the CTP is to provide for preservation and revitalization of rail service in the state		(d) no change		(d) same as House version

CURRENT LAW (1999 CTP)		HB 2382		Senate Bill	
(e)	the CTP is to provide for an aviation program, to assist general aviation airports	(e)	no change	(e)	same as House version
(f)	the CTP is to provide for public transit	(f)	no change	(f)	same as House version
		(g)	The transportation program shall provide for a multi-modal economic development program to provide assistance for transportation-sensitive economic opportunities on a local or a regional basis.	(g)	same as House version
		(h)	The secretary of transportation shall, using [KDOT] selection methods and criteria, determine the projects to be selected for inclusion under the transportation program.	(h)	same as House version
		(i)	The transportation plan authorized by this section shall not be implemented until funding is provided.		(not included)
	<i>info not included</i>	Sec. 2 68-416	city connecting links - basic program unchanged would allow the Secretary to spend the remainder of the State Highway Fund for any purpose in Section 1	Sec. 2 68-416	increases amount per lane mile; includes other House version change
		Sec. 3 68-2315	annual report required from the Secretary of Transportation the report had required a detailed explanation of the methods or criteria used to choose projects of "substantial maintenance and construction projects"; the bill would require an explanation of the methods or criteria used for all types of projects [both current law and the bill require explanation of methods and criteria for awarding to cities, counties or other transportation providers]	Sec. 3 68-2315	same as House version
				Sec. 4 68-2316	would raise the minimum amount to be spent in each county during the 10-year program from \$3 million to \$5 million
		Sec. 4 68-2319	adds (d), a definition of "total agency revenues": "all revenues accruing to [KDOT], including federal funds. "Total agency revenues" shall not include funds of the special city and county highway fund, county equalization and adjustment fund, bond proceeds and extraordinary income."		
		Sec. 5 68-2320	adds a new subsection the subsection would allow the Secretary to issue bonds up to 18% of the annual adjusted total agency revenues and specifies how that is to be calculated (not the amounts listed in (a) and (b)) it further allows the secretary to reserve a portion of the bonding capacity for "emerging projects that may have a significant economic impact based on economic impact analysis"	Sec. 5 68-2320	adds a new subsection on and after July 1, 2010, the Secretary is authorized to issue up to \$1 billion in bonds
		Sec. 6 68-2321	makes a minor change to allow the Secretary to use all of the bonds that could be issued under 68-2320, not just the \$1.272B bonding authority of 68-2320 (a) and (b)	Sec. 6 68-2321	same as House version
		Sec. 7 68-2331	minor change to delete a reference to 68-2314a, which would be replaced by Sec. 1; this statute governs how bonds may be issued, including the role of the Kansas Development Finance Authority	Sec. 7 68-2331	same as House version
				Sec. 8 75-5035	increases annual transfers from the State Highway Fund to the coordinated public transportation assistance fund from \$6 million to \$15 million, starting 7/1/2010

CURRENT LAW (1999 CTP)			HB 2382			Senate Bill		
						Sec. 9	75-5048	Rail Service Improvement Fund - increases the annual transfer amount from \$3 million to \$7 million
						Sec. 10	75-5061	Public Use General Aviation Airport Development Fund - increases the annual transfer from \$3 million to \$8 million
						Sec. 11	8-142	changes a reference to a subsection to conform to a change in 8-143
						Sec. 12	8-143	increases annual registration fees for motorized bicycles motorcycles passenger vehicles hearses and ambulances by \$5/year on January 1 of 2010, 2011, 2012, 2013
						(for intervening sections, see separate sheets)		
						Sec. 33	79-34,142	no changes in the state/local split for the special city and county highway fund; remains 66.37% to the State Highway Fund and 33.63% to the Special City and County Highway Fund

KLRD analysis, 16 March 2009

FISCAL CHANGES PROPOSED in SENATE COMPREHENSIVE TRANSPORTATION PLAN
 based on a draft of 16 March 2009
 KLRD

<u>PROGRAM FUNDING</u>	<u>KSA</u> (may be 2008 Supp.)	<u>Bill section</u>	<u>current amount</u>	<u>proposed amount</u> amount	<u>starting date or period in effect</u>	
City Connecting Links program	68-416	Sec. 2	\$3,000 per year per lane mile	\$5,000 per year per lane mile	July 1, 2010	
Amount to be spent in each county for highway, bridge, and substantial maintenance projects	68-2316	Sec. 4	\$3 million per county	\$5 million per county	for the period July 1, 2010, through June 30, 2019	
KDOT total bonding authority	68-2320	Sec. 5	\$2.162 billion (\$890 million CHP and \$1.272 billion CTP)	additional \$1 billion	July 1, 2010	
Coordinated Public Transportation Assistance Fund - annual transfers to that fund from the State Highway Fund	75-5035	Sec. 8	\$6 million per year	\$15 million per year	July 1, 2010	
Rail Service Improvement Fund - annual transfer into that fund from the State Highway Fund	75-5048	Sec. 9	\$3 million per year	\$7 million per year	July 1, 2010	
Public Use General Aviation Airport Development Fund - annual transfer into that fund from the State Highway Fund	75-5061	Sec. 10	\$3 million per year	\$8 million per year	July 1, 2010	
<u>REGISTRATION FEES</u>	<u>KSA</u> (may be 2008 Supp.)	<u>Bill section</u>	<u>current amount</u>	<u>increase</u>	<u>starting date</u>	<u>ending amounts (January 1, 2013 and later)</u>
Annual registration fees for motorized bicycles motorcycles passenger vehicles hearses and ambulances certain electrically propelled motor vehicles	8-143 (1)	Sec. 12(a)	motorized bicycles - \$11 motorcycles - \$16 passenger vehicles, hearses and ambulances - \$30 if < or = 4,500 pounds, \$40 if heavier certain electrically propelled motor vehicles - \$14	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	amounts as of January 1, 2013 and later: motorized bicycles - \$31 motorcycles - \$36 passenger vehicles, hearses and ambulances - \$50 if < or = 4,500 pounds, \$60 if heavier certain electrically propelled motor vehicles - \$34
Annual registration fees for trucks truck tractors trailers, semi-trailers	8-143 (2)	Sec. 12(b)	depends on weight; the range is \$102 if a gross weight of more than 12,000 pounds but not more than 16,000 pounds, to \$1,935 if more than 80,000 pounds but not more than 85,500 pounds	\$25 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	as of January 1, 2013, the range would be \$202 if a gross weight of more than 12,000 pounds but not more than 16,000 pounds, to \$2,0935 if more than 80,000 pounds but not more than 85,500 pounds
License plates for vehicles delivered by the driveway method	8-143 (2)	Sec. 12(b)(4)	first set of plates: \$44; each additional set: \$18	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	first set of plates: \$64; each additional set: \$38

Annual license fees for local trucks	8-143 (2)	Sec. 12(b)(5)	depends on weight; the range is \$102 if a gross weight of more than 12,000 pounds but not more than 16,000 pounds, to \$1,010 if more than 80,000 pounds but not more than 85,500 pounds	\$25 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	as of January 1, 2013, the range would be \$162 if a gross weight of more than 12,000 pounds but not more than 16,000 pounds, to \$1,110 if more than 80,000 pounds but not more than 85,500 pounds	
Annual license fees for farm trucks	8-143 (2)	Sec. 12(b)(6)	depends on weight; the range is \$42 if a gross weight of more than 12,000 pounds but not more than 16,000 pounds, to \$610 if more than 66,000 pounds	\$25 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	as of January 1, 2013, the range would be \$142 if a gross weight of more than 12,000 pounds but not more than 16,000 pounds, to \$710 if more than 66,000 pounds	
Annual license fee for each local urban transit bus used in local urban transit operations	8-143 (2)	Sec. 12(b)(7)	depends on the number of passengers: 8-30, \$15 31-39, \$30 40 or more, \$60	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	as of January 1, 2013: 8-30 passengers, \$35 31-39, \$50 40 or more, \$80	
Annual license fee for any trailer, semitrailer, travel trailer, or pole trailer	8-143 (2)	Sec. 12(b)(9)	depends on weight; if 2,000-8,000 pounds, \$15; if 8,001-12,000 pounds, \$25; if > 12,000 pounds, \$35	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	as of January 1, 2013, if 2,000-8,000 pounds, \$35; if 8,001-12,000 pounds, \$45; if > 12,000 pounds, \$55	
Fee for 30-day temporary registration	8-143(3)	Sec. 12(e)		\$3	\$7	January 1, 2010	\$10
Fee for 72-hour temporary registration for trucks and truck tractors registered in some other state	8-143b	Sec. 13(a)		\$26	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	\$46
Fee for 30-day license, for trucks and truck tractors registered in some other state	8-143b	Sec. 13(a)		\$26	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	\$46
Temporary registration fee for a truck or truck tractor not entitled to reciprocal privileges while being operated in interstate commerce	8-143c	Sec. 14		\$26	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	\$46
Trip permit authorizing demonstration and operation of a truck or truck tractor -- 72 hours	8-143g	Sec. 15(a)		\$26	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	\$46
Trip permit authorizing demonstration and operation of a truck or truck tractor -- 15 days	8-143g	Sec. 15(b)		\$100	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	\$120
30-day license for a farm truck engaging in intrastate commerce	8-143h	Sec. 16		\$26	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	\$46
Permit authorizing a local truck or truck tractor to operate beyond the local radius for 72 hours	8-143i	Sec. 17		\$26	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	\$46
Annual license fee for farm custom harvesting vehicles	8-143j	Sec. 18	depends on weight; the range is \$102 if a gross weight of more than 16,000 pounds but not more than 20,000 pounds, to \$1,010 if more than 80,000 pounds but not more than 85,500 pounds	\$25 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013	as of January 1, 2013, the range would be \$202 if a gross weight of more than 16,000 pounds but not more than 20,000 pounds, to \$1,110 if more than 80,000 pounds but not more than 85,500 pounds	

Harvest permit (not to exceed 60 days) for a truck or truck tractor registered in another state and engaged in farm custom harvesting operations in Kansas	8-143k	Sec. 19		\$26	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013		\$46
\$4 registration surcharge	8-145	Sec. 20	\$4, to the Division of Vehicles Modernization Fund			January 1, 2013	\$4, to the State Highway Fund	
Antique vehicle one-time registration fee	8-172	Sec. 21(b)		\$40	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013		\$60
Annual registration fee for a special interest vehicle or street rod vehicle	8-195	Sec. 22		\$26	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013		\$46
Vehicle auctioneer 72-hour transport permit	8-1431	Sec. 24		\$3	\$7	January 1, 2010		\$10
Dealer license plate annual fee	8-2406	Sec. 25		\$275	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013		\$295
Trailer dealer license plate annual fee	8-2406	Sec. 25		\$25	\$5 per year for four years	January 1, 2010 January 1, 2011 January 1, 2012 January 1, 2013		\$45
30-day temporary registration permit, for use by dealer	8-2409	Sec. 26		\$3	\$7	January 1, 2010		\$10
Extending \$4 Division of Vehicles modernization surcharge to fleet and abandoned, towed vehicles	75-5160	Sec. 27		0	\$4	January 1, 2013		\$4
TAXES	KSA (may be 2008 Supp.)	Bill section	current amount	increase	effective dates	proposed amounts		
Fuel taxes	79-34,141	Sec. 32						
- motor-vehicle fuels other than E85			\$0.24	\$0.02	January 1, 2010 - January 1, 2012		\$0.26	
- special fuels			\$0.26				\$0.28	
- LP gas			\$0.23				\$0.25	
- E85 fuels			\$0.19				\$0.19	
- motor-vehicle fuels other than E85			\$0.26	\$0.02	January 1, 2012 - January 1, 2014		\$0.28	
- special fuels			\$0.28				\$0.30	
- LP gas			\$0.25				\$0.27	
- E85 fuels			\$0.19				\$0.21	
- motor-vehicle fuels other than E85			\$0.28	\$0.02	after January 1, 2014		\$0.30	
- special fuels			\$0.30				\$0.32	
- LP gas			\$0.27				\$0.29	
- E85 fuels			\$0.21				\$0.23	
Retailers sales tax	79-3603	Sec. 34		5.30%	0.25%	January 1, 2010		5.55%
portion of the sales tax to the State Highway Fund	79-3620	Sec. 35(c)	13/106 (fraction)			January 1, 2010	18/111 (fraction)	
Compensating use tax	79-3703	Sec. 36		5.30%	0.25%	January 1, 2010		5.55%
portion of the compensating use tax to the State Highway Fund	79-3710	Sec. 37	13/106 (fraction)			January 1, 2010	18/111 (fraction)	