

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on January 27, 2010, in Room 783 of the Docking State Office Building.

All members were present, except
Representative Dan Kerschen, excused

Committee staff present:

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

Conferees appearing before the Committee:

Carmen Alldritt, Director, Motor Vehicle Div., KS Dept. of Revenue
Representative Julie Menghini
Bill Kennedy, Topeka Driving School
Jack Morrill, Driver Education Trainer in Humbolt and Iola
Terri West, Twin City Driver Education, Overland Park
Jack West, Twin City Driver Education, Overland Park
Jim Hathaway, Driver Training Instructor, Leavenworth
Brad Wille, Driver Training Instructor, Manhattan
Ron Gaches, Representing AAA Allied Group
Ted Smith, Attorney for Motor Vehicle Division
Vicky Johnson, Chief Counsel, KDOT
Representative Pat George
Tom Krebs, Governmental Relations Specialist with KS Bd of Education
Ken Arnold, Superintendent, USD 327
Linda Kenne, Superintendent, USD 432, Victoria
Barbara Pringle, Director of Transportation, Emporia

Others attending:

See attached list.

Chairman Hayzlett opened the meeting and called for bill introductions.

The Chairman recognized Pat Hurley. Mr. Hurley had two bill introduction requests. The bills concerned two funding scenarios from the Special Committee on Transportation. Mr. Hurley requested that the two final funding recommendations be placed in bill form for legislative consideration. Representative Menghini made a motion to introduce these bills, seconded by Representative Worley and the motion carried.

Jerrald Forbes, representing Polaris Industries, asked to the Committee to introduce a bill tweaking the definition of utility/worksite vehicles. Representative Ballard made a motion to accept this bill, seconded by Representative Peck and the motion carried.

There were no additional bill introductions so the Chairman opened the hearings on **HB 2482.**

HB 2482 - Expiration and renewal of driver's licenses, requirements

The Chairman recognized Carmen Alldritt. (Attachment #1) According to Director Alldritt, this bill does two things, it clarifies and is a cost efficiency bill. In 2003 the State converted the driver's licenses to digital imaging and in 2004 the State moved to central issuing of licenses where you go in and take the test and get a receipt and in a few days your license is mailed to you. In 2007 Senate Bill 9 required digital image on file for all driver's license renewals, building a secure identification system. Currently Revenue has digital images on file where driver's licenses and identification cards are renewed. Anyone having digital image on file, especially military (including dependents), Revenue will renew their licenses, print new licenses and mail the

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The second part of this bill according to Director Alldritt is the cost-saving part. Revenue sends out approximately 300,000 renewal envelopes and approximately 3% are returned as undeliverable. According to Director Alldritt, savings per fiscal year would be \$450,000.

Director Alldritt asked for an amendment so the revisor could codify existing policy to allow for photographs on file to be used for renewal.

After all questions were answered Chairman Hayzlett closed the hearing on **HB 2482** and opened the hearing on **HB 2483**.

HB 2483 - Removing drivers training course requirement for restricted driver's license

The Chairman recognized Representative Menghini who spoke in support of **HB 2483**. (Attachment #2) According to Representative Menghini this bill would remove a provision from the Graduated Drivers' License bill. That provision being to successfully complete a course in driver's education before receiving a restricted license. This provision was one the sub-committee thought they had removed but it actually remained in the original bill. She noted that many areas of the state do not offer reasonably priced driver's education courses. Additionally the subcommittee felt that requiring the restricted license holder to have a learner's permit for a full year AND complete at least 25 hours the driver would actually have more driving experience than required previously.

Carmen Alldritt, Director of Motor Vehicles, came forward to point out the fiscal impact of eliminating the requirement that a person successfully complete an approved course in driver training prior to receiving a restricted driver's license. (Attachment #3) She said that the Department of Revenue processes approximately 35,000 applications each year from individuals who have completed an approved driver's education course. If **HB 2483** passes, the Division of Vehicles estimates that it would require an additional 20 full-time examiner positions at a cost of \$864,900 per year to conduct the additional driving tests.

There were no other proponents so Chairman Hayzlett called for opponents to **HB 2483**.

The Chairman recognized Bill Kennedy, Topeka Driving School as the first opponent. (Attachment #4) Mr. Kennedy said that driving was a privilege and as such it carried a great deal of responsibility for the driver and others sharing the road. Mr. Kennedy showed the Committee the results of a national study comparing teenagers who took a driver education course plus 50 hours of driving to those teens who did not take driver education but had 100 hours of practice.

The next opponent was Jack Morrell, Driver Education Teacher USD 257 and 258. (Attachment #5) Mr. Morrell believes that removing the driver education requirement and discontinuing driver education programs will cause a dramatic increase in teen driver crashes and traffic deaths. Mr. Morrell said he believes an unintended consequence of teens not being taught to drive is that a lot more teens will be involved in more collisions because they were not exposed to the correct way to drive. He said this will cost Kansans more because of the cost of replacing vehicles, medical costs, and lost productivity because of time off for injuries and lost wages.

Terri West, co-owner of Twin City Driver Education was the next opponent. (Attachment #6) Mrs. West said in her opinion driver education should be mandatory for all teenagers under seventeen years of age, not just fifteen year olds because there are many skills and attitudes that are better taught and much of the time better received when a teenager learns them from a professional driving instructor than from a parent. She said they teach defensive driving, accident avoidance, road rage, impaired driving (including drowsy driving), personal safety, driving under adverse conditions, safety features in automobiles and other curriculum. She said they teach skills to include stop position, complete dead stops, right of way situations, the Kansas Basic Speed Law, the two second and the two second plus following distance rule, the correct steps for a safe lane change, etc.

The next opponent was Jack West, co-owner of Twin City Driver Education. (Attachment #7) Mr. West said motor vehicle crashes are the leading cause of death for teenagers, accounting for more than one in three

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deaths in this age group. He said "per mile driven, teen drivers ages 16 to 19 are four times more likely to crash than older drivers." He stated that a Readers Digest article listed Kansas along with nine other states as being in the "worst" category for laws pertaining to teenage drivers. Mr. West said parents may inadvertently contribute to the failure of driver education to reach its safety goals because they give more freedom and less supervision which leads to more risk and crashes. He concluded by saying parents are often not the best examples that modern driver education is making a difference and is a fundamental component of graduated licensing.

Jim Hathaway, driver education instructor at Easton, USD 449 and 409. (Attachment #8) Mr. Hathaway said he feels it is extremely important that teenagers have a personal contact with a state-certified driver education instructor. He said passage of this bill would create unsafe practices on the roads. He said other states are putting more educational requirements on all age drivers in their states, not less. He concluded by saying the job of the driver education community is to train and educate students to be able to react to many different driving situations.

Chairman Hayzlett recognized Brad Wille, Driver Education Supervisor, Manhattan High School. (Attachment #9) He said driver education provides a tremendous opportunity for young men and women to develop the confidence to safely operate a 3,000 pound vehicle on our highways. Mr. Wille said approximately 6,000 fifteen to nineteen year olds will die on our nations highways because of automobile accidents. He said driver education won't save them all, but it can make a difference in the number of lives saved.

The Chairman recognized Ron Gaches speaking for James R. Hanni, Executive Vice President, AAA Allied Group. (Attachment #10) According to Mr. Hanni's testimony, AAA expresses opposition to **HB 2483** because they believe that organized driver education and training programs enhance safety and mobility and should be included in the licensing system. He said passage of **HB 2483**, while well intended, would move Kansas backward in protecting teen drivers and other drivers on the road. Mr. Hanni's testimony mentioned the unintended increase in operating cost for the Motor Vehicle Division because without the presentation of a driver education completion certificate, staff of Department of Revenue will need to be hired and trained to conduct driving tests to satisfy state licensure laws. He concluded by saying passage of **HB 2483** will make our licensing system weaker and will likely increase the number of crashes and fatalities on Kansas highways with significant cost implications for the Motor Vehicle Division.

The next opponent was Eldon L. Chlumsky, Coordinator, Technology Education/Driver Education, Wichita Public Schools. (Attachment #11) Mr. Chlumsky said it was his understanding that driver education programs are an important part of the Kansas Strategic Highway Safety Plan and should therefore not be eliminated. He shared statistics from the KS Department of Transportation website, in part, that "motor vehicle crashes are the leading cause of death for ages 15 to 18." Also that "teen drivers account for 6% of all Kansas registered drivers but 18% of all crashes." He concluded by saying the effects of this bill will not only be on the 15 to 19 age group but on all Kansans as they would be exposed to greater risk if this bill passes.

After all questions were answered the Chairman closed the hearing on **HB 2483** and opened the hearings on **HB 2484**.

HB 2484 - Commercial driver's licenses, prohibiting diversion agreements

Chairman Hayzlett recognized Ted E. Smith, Attorney with the Office of the Director of Vehicles. (Attachment #12) Mr. Smith said in 2003 the State made some changes to its commercial drivers' license laws, modeled on Federal Motor Carrier safety regulations. One change attempted to prohibit the diverting or masking of criminal and traffic convictions for CDL holders, regardless of whether the activity occurred in a regular vehicle or a commercial motor vehicle. Later an Attorney General's Opinion construed the term "driver" in a manner that limited the prohibition's usefulness and consistency with the intent of the Federal regulations. Since then the Federal Motor Carrier Safety Administration has expressed concern with the State's practice in two successive audits by identifying the systematic granting of DUI diversions to CDL holders as a major violation and significant divergence from Federal safety standards. The Federal Motor

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holders as a major violation and significant divergence from Federal safety standards. The Federal Motor Carrier Safety Administration has emphasized that closing the State's loophole for masking DUI convictions and other criminal and traffic convictions should be a legislative priority.

The next proponent for **HB 2484** was Vicky Johnson, Chief Counsel with the Kansas Department of Transportation. (Attachment #13) She said in its current form this bill prohibits a driver from entering into diversion agreement in lieu of further criminal proceedings. Ms. Johnson said the federal concern is that it allows a person who holds a commercial driver's license but whose employment does not require that license to enter into a diversion agreement but if at a later date the person may then operate a commercial motor vehicle with no record of their alcohol related offense. The Federal Motor Carrier Safety Administration has entered a finding that Kansas is not in compliance with 49 CFR Parts 384, and has recommended that Kansas introduce legislation prohibiting the masking of convictions of holders of commercial driver's licenses which results from allowing holders to enter diversion agreements. Ms. Johnson concluded that passage of this bill is required for the State to be in compliance with the federal requirements.

After all questions were answered the Chairman closed the hearing on **HB 2484**. He opened the hearing on **HB 2486**.

HB 2486 - Extending school bus exception to 25 years.

Chairman Hayzlett recognized Representative Pat George as the first proponent of this bill. (Attachment #14) He explained that under current law buses must be replaced at 20 years of age and this bill will allow school districts to keep their school busses until they are 25 years old. Representative George said school superintendents have asked for the authority to keep busses for five additional years in order to save money. He also said that school busses are subject to annual inspections and would continue to be inspected for the five additional years.

The next proponent was Tom Krebs, Governmental Relations Specialist with the Kansas Association of School Boards. (Attachment #15) Mr. Krebs said the Board of Directors of the KASB voted as a priority that school districts should have the ability to make decisions regarding the most effect use of resources to meet the needs of their community. He said this bill fits perfectly into that priority because then districts would be able to replace busses when necessary.

The Chairman recognized Ken Arnold, Superintendent of USD 327, Ellsworth. (Attachment #16) Superintendent Arnold's testimony included a brief survey of 15 other states. The survey showed out of the 15 states listed only Louisiana had a 25 year bus limit. Everyone else relied on annual inspections (quarterly inspection in Mississippi) to determine the reliability of their buses. In Kansas the busses have a yearly inspection and then a Kansas Highway Patrol inspection. According to Mr. Arnold, the last thing he wants to do is put an unsafe bus on the roads, they just want to be able to determine how long a bus should be in service based upon the condition of the bus and their roads.

Linda Kenne, Superintendent, USD 432, Victoria, was the next proponent. (Attachment #17) According to Superintendent Kenne, Victoria does not have regular bus routes because parents bring their kids to school and the school pays them mileage. They do have the regular yellow school busses which come under current law. She said last year they had their first bus turn 20 and had to replace the bus which was in excellent condition. She said they wound up selling this perfectly good bus for \$550. Superintendent Kenne said all of their busses are well maintained and must be inspected each year. She concluded by saying this bill will give them some relief and allow them to use equipment that is in great working order for a few more years.

There were no additional proponents. Chairman Hayzlett drew the Committee's attention to written testimony submitted in support of this bill from: Bill Froese, Transportation Director for McPherson Schools (Attachment #18); David Carriger, Superintendent, USD 493, Columbus (Attachment # 19); Michael Baldwin, Superintendent/HS Principal of Comanche County USD #300 (Attachment #20); and Cheryl Semmel, Executive Director of United School Administrators of Kansas (Attachment #21).

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The Chairman called for opponents of **HB 2486**.

The only opponent to this bill was Barbara Pringle, Executive Director, KS State Pupil Transportation Association. (Attachment #22) According to Ms. Pringle this bill would extend the time period for a bus from 20 to 25 years and would exempt the busses from meeting many safety requirements. She said extending the bus life is a safety concern for the children. She named several pieces of current safety equipment that would not be on busses for an additional five years. Ms. Pringle said the National Transportation Safety Board and National Highway Traffic Safety Administration have determined certain safety features to be necessary for the safety of the children. She said passing this bill will mean a step backwards for school bus safety in Kansas and putting children in jeopardy unnecessarily. Ms. Pringle asked the Committee if they did choose to pass this bill to make it temporary and at some point revert back to the 20 year limit. She concluded with saying that this is more than a financial issue it could have serious safety consequences.

There being no other opponents after all questions were answered, the Chairman closed the hearing on **HB 2486**.

There being no further business before the Committee the meeting was adjourned.

To: Representative Gary Hayzlett, Chairman, and members of the House Transportation Committee.

From: Carmen Alldritt, Director of Vehicles.

Date: January 27, 2010

Subject: HB 2482 (2010) Driver's License Renewal Issues

- 2003. State converted its driver's license photos to digital images.
- 2004, May. State moved to driver's license central issuance.
- 2007, July. SB 9 implementation required digital image on file for all mail driver's license renewals.
- Currently. Digital image on file – DL/ID will be renewed, via the mail, for deployed, active military applicants.
- 2010. Proposal would include dependents and spouse of deployed, active military to secure driver's license renewal through the mail if recent digital image on file.

House Transportation
Date: 1-27-10
Attachment # 1

JULIE MENGHINI

REPRESENTATIVE, 3RD DISTRICT
 1207 E. QUINCY
 PITTSBURG, KANSAS 66762
 (620) 232-6519



TOPEKA

HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS
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 (785) 296-7687
 1-800-432-3924

Testimony on HB 2483

House Committee on Taxation

By Rep. Julie Menghini

Weds., January 27th, 2010

Mr. Chairman and Members of the House Transportation Committee,

I'm here today to testify in favor of HB 2483. As most of you know, last year we passed the Graduated Drivers' License bill for young, novice drivers in Kansas. It was several sub committees and years in the making, and frankly a little complicated.

This year, our Chairman alerted us that one of the provisions that we discussed removing actually remained in the bill. HB 2483 will remove this provision, and put the GDL in the form originally intended.

The provision mandates successfully completing a course in driver's education before a driver can obtain their restricted license. While this seems reasonable, the reality is that many areas of the state do not offer reasonably priced driver's ed courses at their local schools anymore, leaving courses that are often priced out of reach for the very individuals who must work to save money for college or post-secondary training.

In addition to the cost, the subcommittee felt that by requiring the restricted license holder to have a learner's permit for a full year AND complete at least 25 hours (of the 50 required for full licensure), the driver would actually have more driving experience than previously required.

By taking driver's ed, most insurance companies will lower the costs to insure that driver, ensuring that there is still an incentive for taking drivers training courses. However, the industry also indicated that overall, there was little difference between accident rates of drivers who had taken driver's ed and those who had not, after the first 6 months following driver's training.

I urge your support of HB 2483 and will stand for questions at the appropriate time. Thank you.

House Transportation
 Date: 1-27-10
 Attachment # 2

January 26, 2010

The Honorable Gary Hayzlett, Chairperson
House Committee on Transportation
Statehouse, Room 274-W
Topeka, Kansas 66612

Dear Representative Hayzlett:

SUBJECT: Fiscal Note for HB 2483 by House Committee on Transportation

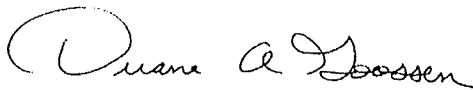
In accordance with KSA 75-3715a, the following fiscal note concerning HB 2483 is respectfully submitted to your committee.

HB 2483 would eliminate the requirement that a person successfully complete an approved course in driver training prior to receiving a restricted class C or M driver's license.

Estimated State Fiscal Effect				
	FY 2010 SGF	FY 2010 All Funds	FY 2011 SGF	FY 2011 All Funds
Revenue	--	--	--	--
Expenditure	--	--	--	\$864,900
FTE Pos.	--	--	--	20.00

The Department of Revenue indicates that it processes approximately 35,000 applications each year from individuals who have completed an approved driver's education course. With the passage of HB 2483, the Driver's License Examining Bureau would be required to conduct an additional 35,000 driving tests, which require approximately one hour each. To process 35,000 additional driving tests, the Division of Vehicles estimates that it would require an additional 20.00 FTE Examiner positions at a cost of \$864,900 (20 x \$43,245 per position) from the State Highway Fund in FY 2011. Because an exam fee is currently charged and the driving test is waived, no new fees would be collected. Any fiscal effect resulting from this bill would be in addition to amounts included in *The FY 2011 Governor's Budget Report*.

Sincerely,



Duane A. Goossen
Director of the Budget

House Transportation
Date: 1-27-10
Attachment # 3

cc: Steve Neske, Revenue

Bill Kennedy

Topeka Driving School

1/27/10

I am against HB 2483 for the following reasons:

1. In Kansas driving is a privilege which means each driver must be licensed through the state. This license carries with it a great deal of responsibility for the driver and can affect the rest of us sharing the road with them. The best way to ensure this safety is to require a form of professional training for each beginning driver. This will help set a solid base for putting them in successful driving situations.

2. A national study in "The Chronicle" – 2006. American Driver & Traffic Safety Education Assoc. in cooperation with the Highway Safety Center Indiana University of Pennsylvania. This study compares teenagers 16, 17, 18, and 19 years old who took a driver education course plus 50 hours of driving, to those teens who did not take driver education, but had 100 hours of practice.

	Driver Ed with 50 hours (Kansas requirement)	No Driver Ed but 100 hours of practice (twice the Kansas requirement)
Crash Rates	11% - 21% Lower	
Traffic Convictions	39% - 57% Lower	
Driver License Suspensions	51% - 53% Lower	

Based on this national study and my 25 years of teaching driver education in both public and private schools, I would urge this committee not to pass HB 2483 and consider requiring each beginning teenage driver in Kansas to complete professional driver training before they obtain their license and they have the privilege of driving on the roadways with the rest of us.

House Transportation
Date: 1-27-10
Attachment # 4

Testimony concerning HB 2483

January 25, 2010

To: Transportation Chairman Hayzlett and Transportation Committee Members,

Thank you for allowing me to speak to you on behalf of Driver Education requirements.

I first took Driver Education in 1966 as a freshman at Blue Mound High School. After graduating from Kansas State in 1975, I became a Driver Education instructor at Wabaunsee High school, in Alma, during the summer. My next Driver Education teaching jobs were Quenemo High School, fall 1975. Taught at Crest High School, in Colony, the summer of 1976 and then to USD 257, Iola to the present. I have taught the USD 258, Humboldt, students since 2004. In 2007 I taught at the A+ Driving School.

If you take away the Driver Education requirement and discontinue Driver Education programs, I believe Kansas will see a dramatic increase in teen driver crashes and traffic deaths.

In 2008, involving teen drivers (15-19) there were 15,478 traffic crashes, 46 teens died, and 3,603 teens were injured in traffic collisions. The state of Kansas requires anyone wanting to use a gun to hunt must take a hunter safety course. Why would we as a state not require our beginning drivers to take a Driver Education course to obtain a license after looking at the above statistics?

I believe an unintended consequence of teens not being taught to drive is that, in our area, there will be a lot more teens involved in more collisions because they weren't exposed to the correct way to drive. This will have a domino effect on the economy. If the state of Kansas truly wants to help their citizens one of the best ways is to reduce traffic crashes and collisions to cut down on the cost of replacing vehicles, medical costs, and lost productivity because of time off for injuries and lost wages.

An analogy I like to use is:

You are going to ride in a plane. You have your choice of pilots. Pilot A - Earned his pilots license by taking classes. He had to go to class **30 hours** and fly a plane for 20 hours. In class, Pilot A was exposed to Simulation, experts in the field, and many different forms of instruction to help him learn.

Pilot B earned his license through watching his dad fly a plane. He accumulated enough flying time and reached the correct age to get a pilot's license. **Which Pilot Do You Want Flying Your Plane?**

This analogy applies to the public schools offering Driver Education.

I also think that doing away with Driver Education or the Driver Education requirement for a GDL will have the unintended consequence of rippling through the Kansas economy. Less taxes will be paid because of the lost wages and less gasoline used by commercial driving schools as well as by school districts. In the long run it will cost the state financially much more than would be saved.

My Superintendent related a story about the budget cuts that Iola went through several years ago on whether to drop Driver Education. A board member said, "I'm 62 years old and I still drive. I don't play football."

House Transportation
Date: 1-27-10
Attachment # 5

For the sake of ALL Kansas communities, please continue the Driver Education requirement to obtain a restricted license.

Driver Education is more than a lab class to teach the operation of a car. We teach about:

- Maturity of a responsible driver
- Responsibility of a driver to society
- Obeying the law
- An understanding of the social interaction of driving
- Insurance laws
- Collision avoidance
- How to cope with the different scenarios that may occur in driving environments instead of waiting to experience them first hand by driving
- Adverse driving conditions and how to handle them

Can a student acquire all of this knowledge easily without a class? How many parents will be able to teach their new drivers about all the items listed above?

In closing I can offer some anecdotal/empirical evidence to support Driver Education.

1. I have taught Driver education for 34 years in Iola. Our local newspaper has a court report. I always read it to see if my former students are in there for traffic violations. They are not in there nearly as often as those who did not take Driver Education
2. Any time I talk to a former student, they talk about one of two things, playing on a team that I coached or when they took Driver Education. I have seldom had a former student talk to me about health class, civics class, or one of the computer classes I have taught in my career.
3. Think back to your high school days. Do you remember any of the lessons from English class, history class, biology class or one of your math classes? How about when you took Driver Education?
4. Former students still remember some of the skills and recall and relate to me how they have used the skills I taught them to cope with emergency situations.
5. I teach around 50 students in Iola and 24 in Humboldt each year and certify them as having the basic skills necessary to receive a restricted license. Multiply that by every town in Kansas and you would need a lot more manpower to test and certify the new drivers. If you take away the Driver Education requirement from the law it will increase the burden on the DMV requiring them to hire more license examiners, costing more in gasoline and mileage for more examiners and more in administrative tasks because of the inundation of the beginning drivers who would normally earn their license through Driver Education.
6. I know firsthand the anguish of having a daughter injured in a car crash. I believe Driver Education saved her life by giving her the skills that saved her life and made the car crash less horrendous.

Thank you for letting me speak on this issue. I encourage you see the destruction this bill could cause and not pass it along any further.

Jack Morrell
Driver Education Teacher USD 257 & 258/Parent/Taxpayer

My name is Terri West. My husband and I have owned and operated a commercial driving school in Overland Park since 1988. I am very concerned about House Bill #2483.

In my opinion Driver Education should be mandatory for all teenagers under seventeen years of age, not just fifteen year olds. There are many skills and attitudes that are better taught and much of the time better received when a teenager learns them from a professional driving instructor than from a parent.

In our classroom curriculum we spend time on many different topics: Defensive driving, accident avoidance, road rage, impaired driving (including drowsy driving), personal safety, driving under adverse conditions, safety features in automobiles and others. In our behind-the-wheel curriculum we drive a minimum of six hours with each student to reinforce the skills learned in the classroom and also to break any bad habits the student may have already learned from their parents, grandparents and others they have observed driving. Several parents have shared that they have become reacquainted with the safe driving skills that they learned as teenagers when they enroll their son or daughter in driver education. To be honest, if our new teen drivers drive the way their parents drive (and most of the other drivers who they share the road with), they will not be able to pass the road test portion of the Kansas Driving Exam. Those skills include stop position, complete dead stops, right of way situations, the Kansas Basic Speed Law, the two second and the two second plus following distance rule, the correct steps for a safe lane change, etc.

Driver Education in my opinion is the most important class a student can take during their high school years. If House Bill #2483 passes our state will be taking a huge step backwards! The law makers have just strengthened the Graduated Driver License Law with the restrictions on the 16 year old driver, which went into effect January 1st, 2010. The author of House Bill #2483 now wants to weaken our system by allowing a fifteen year old with twenty-five hours of practice driving to drive without supervision to and from school and to, from and in connection with a job *WITHOUT* having to take a Driver Education course. As a parent of a sixteen year old son and a fourteen year old daughter, I'm asking you to care more about Kansas teenagers! My kids and their peers need to receive all of the training possible before driving alone and this includes a mandatory Driver Education course.

House Transportation
Date: 1-27-10
Attachment # 6

Testimony before the House Committee on Transportation

Wednesday,
27 Jan, 2010

Jack West,
Co-Owner - Twin City Driver Education, Overland Park, KS

I am here today to address the topic of House Bill 2483, concerning requirements for the Restricted Kansas Driver's License.

Motor vehicle crashes are the leading cause of death for U.S. teens, accounting for more than one in three deaths in this age group.¹ Per mile driven, teen drivers ages 16 to 19 are four times more likely to crash than older drivers.² And even though young drivers, age 15-20, drive significantly fewer miles than the general public, and account for only 6% of the driving population, this age group accounts for 19% of the fatalities across the United States.³

In Kansas, however, you may think teenage driving here to be a pretty benign subject. The heartland, rural America, and as Garrison Keillor would say - "all of the children are above average". But in a study conducted by Allstate - "America's Teen Driving Hotspots", released in May of 2008, the Kansas City, MO/ KS metropolitan area ranked 7th out of the 50 most dangerous metropolitan areas for teenage drivers in the United States. Also in 2008, a Readers Digest article called "The Dangers of Teen Driving", Kansas along with 9 other states were relegated to the "Worst" category for laws pertaining to teen driver (Graduated Licensing, seatbelt and DUI laws). In fact, out of the 50 U.S. States and District Of Columbia, we rank 38th in terms of teen deaths per capita.⁴

The fact is, we have not solved the puzzle of Teenage driving. Not in Kansas, not anywhere. I don't think anyone here today will try to tell you that we have. However, I and many of my colleagues, and I suspect many of you believe we are headed in the right direction. To be specific, I'm talking about Graduated Drivers Licensing. Graduated driver licensing (GDL) systems are designed to delay full licensure while allowing teens to get their initial driving experience under low-risk conditions, in combination with education and parental involvement. Research suggests that the most comprehensive graduated drivers licensing (GDL) programs are associated with reductions of 38% and 40% in fatal and injury crashes, respectively, among 16-year-old drivers.¹

Some may caution and even be wary of certain parental involvement. We like parents for repetition and practice with our students. However, parents may teach a student incorrectly relative to a particular maneuver. Whats worse, they

may inadvertently skip an element or situation entirely. I personally had a situation where a mom called me to see about driving lessons for her fully licensed 16 years old son. He had been licensed and driving by himself for several weeks. Then one day he was T-boned by an oncoming car who had the right-of-way as he attempted a left turn. "It struck me that I had never taught him about left turns yielding when they have a green light, and not a green arrow." his mom told me, "Since he had the green light, and hadn't been taught differently, he thought it was OK to go." This mother, who taught her son to drive herself, simply left out protected and unprotected left turns --- and was at this point worried about what else she had failed to teach him.

Parents may inadvertently contribute to the failure of DE to reach its safety goals. They appear to give better-trained novices more freedom and less supervision, and this leads to more exposure to risk and more crashes. Perhaps this is due to a parent's guilt. Parents are often not the best examples. The student may be resistant to the directions and instruction of the parent, drive in a certain way only to appease the parent, then in his or her absence, drive quite differently. DE needs to become more of a family intervention. Graduated licensing and many parent-oriented programs appear to have started a promising movement in this area.⁵

I would like to conclude by saying that we have a strong start in Kansas. There are certainly changes we can and at some point will make for the better, but this would not be one of them. Modern driver education is making a difference and is a fundamental component of Graduated Licensing. I know DE is not a mandate for all teen licensing, but to remove it from the Restricted phase of the licensing law would most certainly be a step backwards, and have a negative affect on 15 year old drivers in Kansas. More accidents, and more fatalities. No question about it. Thank-you.

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To: Kansas House Committee on Transportation
January 27, 2010

To Chairman Hayzlett and Committee:

I am Jim Hathaway, from the greater Kansas City metropolitan area, a Driver Education instructor at Easton, USD #449, and Atchison, USD #409. I am here to speak in opposition of House Bill #2483, as it will, in my opinion, create unsafe practices on our Kansas roads. I feel it is extremely important that the teenage beginning driver in Kansas has a personal one-on-one contact with a state-certified Driver Education instructor; and it is my understanding that this long standing state requirement is in danger of being required due to this bill. In view of the fact that the Kansas City area is one of the highest collision areas in the country, it is more important today than ever before that we strengthen in every way possible the safety of our beginning drivers with a good foundation of driving habits and retain the restriction requirements of the past. I also believe that with good instruction, the serious responsibility of a driver's license is emphasized.

House Bill #2483 is not in keeping with other states as they put more educational requirements on all age drivers in their states. House Bill #2483 will mean an additional work load for the Department of Revenue as they would face at least an additional 35,000 new road tests. These tests would average about 20 minutes each and just a trip around the block, in contrast to the current Driver Education program of approximately six hours behind-the-wheel testing and 30 hours of classroom teaching for the teenage driver. Statistics in Kansas for years have been based on the fact that before 15-year-olds can drive alone, they have to pass a Driver Education class. If that is no longer required, there is a strong belief that the statistics for accidents, injury, or even death will inch upward in our state. It may take a year or two to see the increase, but we are worried that this is what will happen. And, what does this mean? It means our youth will be involved in fender benders and more serious accidents because they weren't prepared or trained by a certified instructor. That is the job of the driver education community; train and educate students to be able to react to many different driving situations.

Thank you for giving me this opportunity to express my point of view, and I hope you will consider my suggestion to oppose House Bill #2483 as written.

Sincerely,

James C. Hathaway

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Wednesday, January 27, 2010

Honorable Chairman Gary Hayzlett and members of the Transportation Committee it is a privilege to be able to speak to you today regarding Bill 2483 that is proposing the removal of the Driver Education requirement from the current licensing laws.

Driver Education throughout this great state of Kansas provides a tremendous opportunity for many young men and women to develop the confidence to operate safely a 3,000-pound vehicle safely on our highway system. As a Driver Education instructor for almost 30 years, I have worked with many young men and women to help them develop that confidence in handling the vehicle. In many ways, it can be compared to a craftsman who can take an object and mold it into a beautiful masterpiece.

I have a distinct privilege in working with tremendous individuals at Manhattan High School. The instructors that I have the honor to supervise in our Driver Education department teach me more on how to work with students than what I am able to share with them. That in itself is a blessing. One of our instructors related the story how on one driving lesson he had a young lady take a right turn onto our main street. No sooner than she had the vehicle straightened from the turn, she jerked the steering wheel hard to her left then back again quickly. This almost slammed the instructor's head into the passenger window. As she was about halfway down the block she did it again, and again he was almost slammed into his passenger window. She did it a third time, which now required the instructor to inquire her reasoning for such aggressive and sharp driving maneuvers. She replied in a very serious tone, "I'm trying to cancel the turn signal." Yes, she had used a left turn signal as opposed to a right turn signal when she first entered the street.

On another occasion a young man was as frightened of the driving task as he was of the possibility that he might fail in anything he attempted to do. He hid much of his fear in an attempt to be overly bold. This, unfortunately, caused many of his classmates to dislike him. But, as his driving skills improved, he didn't need to prove to anyone his

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bravado. His personal belief in his driving skills helped him to be more confident in who he was, because he just knew he could “drive.”

The young lady took almost a year for her skills to develop before she could successfully master the requirements for the course. The young man, he became the epitome of perseverance. Two years after his first driving lesson he completed the necessary requirements for the course. That will always be a special day for me, because as the young man sat in his dad’s car gripping the steering wheel in excitement and shedding tears of joy, his dad and I shared equally knowing how long and hard he struggled to get to his final success. Sadly, six months following his completion of the course a personal illness took his life.

Both of these students needed the additional time and effort to help them become a confident driver on our road system. And, as the confidence in their skills rose, you could see them blossom into a tremendous young lady and an awesome young man. It is a gratifying feeling to work with someone who appreciates his or her success.

These are just two examples that are burned into my memory. Teaching Driver Education provided this opportunity to me. We are now on the edge of deciding whether we should require Driver Education for a restricted license at age 15, or if we should just simply remove the requirement completely. If it is kept, we will have more students wanting to “learn” how to drive at 14, and get their “restricted” license at 15. If the provision is removed, we will be putting young men and women on the road system without an instructor to guide them. We won’t get all of the students to participate in Driver Education; we have never had that. (Although it would be nice.) However, we can provide an opportunity for many students the chance to “learn” from an instructor that is willing to take the time to work with their mistakes and help them to become a better driver.

Approximately 6,000 15-19 year olds will die on our nations highways because of automobile accidents. Driver Education won’t save them all, but it can make a difference in many lives in the future.

At Manhattan High School we have a tremendously unique program. We can offer Driver Education to students in four different ways: first, through the regular school year; second, through the summer program; third, through our alternative high

school; and fourth, through our online program. We also have a research program that is partnered with Systems Technology, Inc. based in California, a consulting firm in Manhattan, and it is now being funded by a grant through the Center of Disease Control (CDC). This study is attempting to evaluate new methods of instructing young drivers how to improve their driving skills, and also attempting to find more improved methods of teaching Driver Education. The majority of this study is done through the use of driver simulation units. With these programs we have the opportunity to work with 350-400 students. Our goal is to increase that to over 500 students per year. It isn't about a financial advantage for the school, but an advantage of helping young men and young women learn how to operate a motor vehicle safely.

It will be your decision to possibly remove this requirement from the licensing process. However, I would need to ask a very important question. If you choose to do so, which family do you want to speak to and let them know they lost their son or daughter because they did not have the education that could have saved their life?

As a final note, on Thanksgiving Day this past year, at approximately 7:15 PM, a car carrying four brothers and sisters was involved in a roll-over accident on the west side of Manhattan. Two sisters were seated in the front and two brothers in the back. About 20 minutes prior to the accident the young lady driving the vehicle looked at her older brother and requested that he put on his seat belt. Being older and more knowledgeable, he balked, but her insistent request won over. During the accident the back window was blown completely out. All four of them walked away from the accident with minor injuries. These were my four children. My daughter participated in my Driver Education class as did all of my children in the vehicle, (my oldest son does have a headstrong approach, but I really don't think he gets that from his dad). In my Driver Education classes I strongly urge all students to wear their seat belts. I know not all will listen, but I now have personal proof to validate my instructions and concerns. I am extremely thankful that she did listen to my request, because had she not been so adamant my oldest son would have been ejected from the rear of the car and he would not be alive today. When the phone call came from my son that they had been involved in a roll over, it tore at my stomach as I drove to the accident site. It still gnaws at me whenever I look at the photos of the vehicle and how close I came to losing all four of my children.

Driver Education serves a purpose. Yes, the humor will always be there, the excitement of parallel parking the car successfully will always be there, the tears of joy knowing that driving a car is in your grasp will always be there, but most importantly the lives of young men and women can and will be saved because they do learn the correct way of operating a car. And, these young men and women will always be there.

Brad Wille
Driver Education Supervisor
Manhattan High School
Manhattan, Kansas



Testimony of James R. Hanni,
Executive Vice President, AAA Allied Group
Regarding HB 2483: Driver Education Training
January 27, 2010
House Transportation Committee

AAA wishes to express opposition to HB 2483 proposing the removal of the requirement for completion of driver education training in for issuance of a restricted license in Kansas, KSA 8-234b.

AAA believes that organized driver education and training programs enhance safety and mobility and, therefore, training and learning should be included in the licensing system. It should be considered as an important element of a "systems approach" that also incorporates the licensing and enforcement communities.

If anything, driver education should be made more robust in Kansas than it is today. Passage of HB 2483, while well intended, would move us backward, not forward in protecting our teen drivers and all other road users. Driver education should coordinate within a graduated driver licensing system.

Dick Wilson, driver education instructor from Russell, said in the video produced last year by the Elliott School of Communication at Wichita State University and funded by the AAA Traffic Safety Fund that driver education should be the most important class taught in our schools. Without it, Wilson said, reading, writing, mathematics, science and all the other required courses will mean nothing if our children get killed or seriously injured in a car crash. Driver education, Mr. Wilson said, "is life."

New drivers should not rely completely on formal driver education programs - but they should be encouraged to obtain as much supervised "behind-the-wheel" driving experience as possible before encountering complex driving situations and environments alone. Parents and guardians must take an active role in their child's education by assisting new drivers in gaining experience under safe conditions and establishing clear expectations related to such driving concerns as driving time, place, weather conditions, seat belt use, number and age of passengers, and use of alcohol and other drugs. It's important for parents to develop formal driving agreements with their teens.

In addition to these elements, AAA believes the availability of quality driver education and training programs should be an essential element of learning to drive safely, and of the educational mission of the Kansas public school system. Driver education has been accessible in Kansas and it is extremely important to the health and welfare of our young people to encourage and support professional driver education and training opportunities here. Our novice drivers incur more fatalities and injuries per vehicle-mile driven than any other age group.

AAA believes an educated driver is a more effective decision-maker. The ever-increasing demands of the highway traffic system - more drivers, more vehicles, more stress - underscore the need for an accessible driver education and training system.

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The implementation of more and better driver education and training program courses for beginning drivers should remain a Kansas priority. Kansas should adequately finance driver education and training programs and develop cooperative financing initiatives between the public and private sectors. Our policy objective should be to ensure all Kansas students receive high-quality driver instruction, including both on-the-road and classroom training.

Kansas should require more, not less supervised novice driver "behind-the-wheel" training experience, maintain uniform driver education course content and uniform instructor qualifications, and encourage the improvement of driver education and training facilities, classroom instruction, and instructor qualifications and performance.

Removing the driver education requirement will cause an unintended increase in operating cost for the Division of Motor Vehicles, Department of Revenue. Without the simple presentation of driver education completion certificates to move the thousands of young drivers on to the next stage of licensing, additional staff will be hired and trained to conduct driving tests to satisfy state licensure law.

Passage of HB2483 makes our licensing system weaker, will likely increase the number of crashes, injuries and fatalities on Kansas roadways and has significant cost implications for the DMV. It may force the elimination of driver education instructors and put some driver education providers out of business at a time when we should be encouraging more instruction/instructors to provide services to Kansas parents and teen drivers. AAA urges you to reject this proposal.

To: Kansas House Committee on Transportation

Wednesday, January 27, 2010

RE: House Bill No. 2483

The immediate effect of House Bill No. 2483 would be the elimination of the requirement for youth to successfully complete an approved course in Driver Education prior to receiving a restricted license. It is my understanding that Driver Education programs are an important part of the Kansas Strategic Highway Safety Plan, and thus the current requirement for Driver Education should be valued, supported, and retained as part of this plan for our citizen's safety. According to our own Kansas Department of Transportation web site:

"Motor vehicle crashes are the leading cause of death for ages 15 to 18."

"Teen drivers account for 6.0% of all KS registered drivers but 18.0% of all crashes."

"Top 5 Contributing Circumstances for fatalities: Inattention, Speed, DUI, Failure to yield, Disregard to road signs, markings"

"In 2007, 75.0% of all teen fatalities were not buckled up."

When I consider the statistics from KDOT and I also consider the continuing research on how the brain does not entirely mature until the late teens or early 20's, I question if our current requirements and efforts are adequate, let alone sufficient to consider diminishing the learning of information and skills prior to driving a vehicle on our state's roadways.

The proposed action would increase the probability of risk and possible death to the age group (15 to 19) that already performs daily driving within our state and already has the highest propensity for crash and the highest predicted death rate of any group in our state according to KDOT and the graphics supplied on their web site.

The data is available and clear. Your actions will have a direct effect on all age groups of drivers, not just the age group of 15 to 19 year olds. We, you, me, our families--all in Kansas would be exposed to greater risk if you take the proposed action suggested in House Bill No. 2483.

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Please allow the law to stand with the inclusion of the successful completion of an approved Driver Education course for a 15 year old to achieve a restricted license for the safety of all on the roads of Kansas.

Submitted respectfully,

Eldon L. Chlumsky

Coordinator, Technology Education/Driver Education

Wichita Public Schools

201 North Water Street

Wichita, Kansas 67202

316.973.4665

echlumsky@usd259.net

To: Representative Gary Hayzlett, Chairman, and members of the House Transportation Committee.

From: Ted E. Smith, Attorney with the Office of the Director of Vehicles.

Date: January 27, 2010

Subject: HB 2484 (2010) CDL Anti-Masking Amendment.

Thank you for allowing me to appear today on behalf of the Director of Vehicles in support of HB 2484. Passage of the bill will improve the professionalism of the State's licensed commercial motor vehicle drivers. In 2003, the State made some substantial changes to its commercial drivers' license (CDL) laws in an attempt to improve the quality of its commercial motor vehicle drivers. The changes were modeled on Federal Motor Carrier safety regulations.¹ One change attempted to prohibit the diverting or masking of most criminal and traffic convictions for CDL holders, regardless of whether the activity occurred in a regular vehicle or a commercial motor vehicle. At the Federal level, the anti-masking provision was intended to prohibit states from using diversion programs or any other disposition that would defer the listing of unsafe driving activities on a CDL holder's record.

Shortly thereafter, the Kansas Attorney General's Office was asked to interpret the K.S.A. 2009 Supp. 8-2,150. The Attorney General construed the term "driver" in a manner that limited the prohibition's usefulness and consistency with the intent of the Federal regulations, "the term does not include a person who merely holds a commercial driver's license but does not otherwise fall within that definition." Diversion for driving under the influence of alcohol offenses is precluded for commercial 'drivers,' even though a diversion would appear on the driver's record. Plea negotiations or charging amendments that result in convictions for lesser or fewer traffic infractions or offenses than originally charged are not precluded."² (emphasis added). As a result, the Division of Vehicles receives between three to four hundred State and local DUI diversions a year that relate to CDL holders. The Federal Motor Carrier Safety Administration has expressed concern with the State's practice in two successive audits by identifying the systematic granting of DUI diversions to CDL holders as a major violation and significant divergence from Federal safety standards.

The risks to the State for being in noncompliance with the Federal commercial driver's license program include the potential loss of a percentage of Federal-aid highway funds³ or the decertification of the State's interstate CDL issuance process.⁴ At the present moment, the risk of funding loss or CDL program decertification is not immediate. That risk to the State could change during our next Federal review, currently schedule for 2010/early 2011. Representatives of the FMCSA have emphasized to the Division that closing the State's loophole for masking DUI convictions and other criminal and traffic convictions should be a legislative priority.

On behalf of the Director of Vehicles and the Division of Vehicles, I encourage the committee to support HB 2484 and to recommend the bill favorably for passage.

¹ See 49 C.F.R. Sec. 384.226.

² Kan. Atty Gen. Op. 2003-31, page 4.

³ See 49 C.F.R. Sec. 384.401, Subpart D.

⁴ See 49 C.F.R. Sec. 384.05.

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**TESTIMONY BEFORE
HOUSE TRANSPORTATION COMMITTEE**

**REGARDING HOUSE BILL 2484
RELATING TO COMMERCIAL DRIVER'S LICENSE,
AND CONCERNS DIVERSION AGREEMENTS**

January 27, 2010

Mr. Chairman and Committee Members:

I am Vicky Johnson, Chief Counsel with the Kansas Department of Transportation. I am here to provide testimony in support of House Bill 2484, prohibiting diversion agreements for persons holding commercial driver's licenses.

This bill seeks to amend K.S.A. 2009 Supp. 8-2,150 in the Kansas Uniform Commercial Driver's License Act which implements, on the state level, the federal commercial motor vehicle act of 1986 (title XII of public law 99-570).

In its current form, K.S.A. 2009 Supp. 8-2,150 prohibits a "driver" from entering into diversion agreements in lieu of further criminal proceedings. The term "driver" as used in the Kansas Uniform Commercial Drivers' License Act, means any person who drives, operates or is in physical control of a commercial motor vehicle, in any place open to the general public for purposes of vehicular traffic, or who is required to hold a commercial driver's license. The term does not include a person who merely holds a commercial driver's license but does not otherwise fall within that definition.

The federal concern with this is that it allows a person who holds a commercial driver's license, but whose employment does not "require" that licensure to enter into a diversion agreement. If at a later date, when the diversion conditions have been satisfied and all record of the offense has been removed from the driving record, the person may then operate a commercial motor vehicle with no record of their alcohol related offense and avoid any applicable restriction periods under the federal act applicable to holders of commercial driver's licenses.

The Federal Motor Carrier Safety Administration (FMCSA) has entered a finding that Kansas is not in compliance with 49 CFR Parts 384, and has recommended that Kansas introduce legislation prohibiting the masking of convictions of "holders" of commercial driver's licenses which results from allowing "holders" to enter diversion agreements. Currently, K.S.A. 2009 Supp. 8-2,150 does not prevent "holders" of commercial driver's licenses from entering into diversion agreements in lieu of further criminal proceedings. House Bill 2484 closes this loophole, and makes it clear that drivers of commercial vehicles and holders of commercial

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licenses are prevented from entering into diversion agreements in lieu of further criminal proceedings.

The passage of this bill is required for the State to be in substantial compliance with the Federal Motor Carrier Safety Administration requirements. Failure to substantially comply with FMCSA requirements subjects the State to a 5 percent reduction in federal-aid highway funding under sections 104(b)(1), (b)(3) and (b)(4) of Title 23 U.S.C. This represents a possible loss of approximately 9.2 million dollars per year for KDOT.

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

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STATE OF KANSAS

COMMITTEE ASSIGNMENTS
APPROPRIATIONS
TRANSPORTATION
SOCIAL SERVICE BUDGET

PAT GEORGE

REPRESENTATIVE 119TH DISTRICT
HOME ADDRESS: 3007 WESTVIEW
DODGE CITY, KANSAS 67801
620-227-2012

OFFICE ADDRESS: STATE CAPITOL
TOPEKA, KANSAS 66612
785-296-7646



TOPEKA

HOUSE OF
REPRESENTATIVES

Testimony on Behalf of HB 2486
House Transportation Committee
January 26, 2010

Chairperson Hayzlett and members of the committee, thank you for the opportunity to appear before you to express my support on HB 2486 which allows school districts to keep their school busses until they are 25 years old. Current law states they be replaced at 20 years of age. Because of advancement in technology, all mechanical items last longer. Superintendents have asked for the authority to run busses for 5 more years in order to save some dollars. School busses are subject to annual inspections and they would continue to be inspected for these additional 5 years.

I thank you for your attention and will stand for your questions.

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KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

1420 SW Arrowhead Road • Topeka, Kansas 66604-4024
785-273-3600

Testimony before the
House Transportation Committee
on
HB 2486

by
Tom Krebs, Governmental Relations Specialist
Kansas Association of School Boards

January 27, 2010

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to testify. We appear today as proponents of **HB 2486**.

The KASB board of directors in December voted as a priority the following statement as part of its beliefs regarding local decision making: "School districts should have more ability to make decisions regarding the most effective use of resources in meeting the needs of their community."

We believe **HB 2486** fits that priority perfectly. Districts would always be able to replace busses earlier if necessary, but **HB 2486** would stretch the time frame they had to be replaced by 25 percent if that fit the district's need better.

Thank you for the opportunity to testify, and I'd be happy to stand for questions.

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Other State Bus Length of Service Policies

Nebraska	Annual Inspection Only
Oklahoma	Annual Inspection Only
Colorado	Annual Inspection Only
Texas	Annual Inspection Only
Idaho	Annual Inspection Only
Missouri	Annual Inspection Only
Mississippi	Quarterly Inspections Only
Illinois	Annual Inspection Only (Except Chicago School District that has a 10 year limit)
Nevada	Annual Inspection Only (Except LA School District that has a 15 year limit)
California	Annual Inspection Only
Louisiana	25 Year bus limit
Iowa	Inspection twice annually
Arkansas	Annual Inspection Only
Arizona	Annual Inspection Only
Wyoming	Annual Inspection with a state reimbursement from 80%, 90% or 100% depending on age and mileage

INSTRUCTIONS FOR COMPLETING
SCHOOL BUS AND PASSENGER VEHICLE
INSPECTION FORMS
FOR THE SCHOOL YEAR

WE'RE EXCITED!! The inspection forms are now available to be retrieved on-line!!!! This means some changes in the way you'll be completing the process. The two-part forms will still be available for those districts/schools that do not have on-line access.

First, you will need to download the free Adobe Acrobat Reader, if that's not already on your computer systems. The forms will be available in Adobe's PDF format.

Please note that, each form will have some "help" boxes at the top of each one. There are two things that you must especially take note of:

- 1. You may insert the information for each vehicle to be inspected on the top of the form before printing, but you must print each form before adding information for the next vehicle. You cannot save the information on your computers.***
- 2. Once the information for each vehicle is completed, print out the form in the "legal-sized" format. Otherwise, the print will be too small to be legible for inspection purposes.***

Photocopy a couple of "draft" mechanic inspections. Once the inspection process has been completed, then the mechanic can complete a "final" form to be presented to the Kansas Highway Patrol inspectors.

Once the inspection process is complete (both steps), you may photocopy the signed forms for your records. The originally signed document will be given to the KHP Trooper for their files.

School District or Contract Manager:

Complete top portion of "PART ONE". "GVWR" stands for "Gross Vehicle Weight Rating" and can be found on the manufacturer's information label on each vehicle. That information is usually found inside the bus, above the driver's compartment.

"VIN" stands for "Vehicle Identification Number". This is a unique number assigned to every vehicle by its manufacturer. This number should be visible when looking through the windshield on the driver's side of the vehicle.

Inspecting Mechanic:

1. Review the listing of items to be inspected. In the "N/A" Column, mark any of the inspection items that are not applicable to the vehicle being inspected (i.e., School buses manufactured prior to 1991 are not required to be equipped with roof hatch and window emergency exits). Alternately flashing headlights, white strobe lights, and crossing arms are all optional equipment for school buses.
2. Inspect the bus, utilizing criteria for periodic inspection from 49 CFR Part 396, Appendix G to Subpart B and the Body and Chassis Specifications from the 2000 National School Transportation Specifications and Procedures. A copy of "Appendix G" is included with each set of inspection forms. The applicable parts from the Body and Chassis Specifications are printed in the Kansas School Transportation Regulations, Standards, Statutes, and Guidelines, or may be obtained by downloading the information from <http://www.ksde.org/schoolbus/ksderegs.htm>.
3. When performing the mechanical inspections, remember these standards are *minimum* for safe operation of the school bus. All optional equipment must be inspected for proper and safe operation, as well.
4. When the mechanical inspection has been completed, sign the Part One form as required. Your signature on the form signifies that the bus met or exceeded the applicable criteria on the date you completed the inspection.
5. Review Part Two of the inspection form for non-applicable items on the school buses.
6. Contact the Kansas Highway Patrol to complete Part Two of the inspection. KHP inspections occur between July 1 and September 30 each year in compliance with K.A.R. 91-38-5.

Kansas Highway Patrol Inspectors:

1. The items you will be inspecting are as critical to safe operation of the school bus as the mechanical inspections.
2. The school district personnel or mechanic should review items to be checked on Part Two of the inspection form prior to contacting you for the final phase of inspection and indicated items that are not applicable as being equipped on each bus to be inspected.
3. Check Part One of the inspection record to make sure the mechanical inspection has been completed, passed, and signed off by the assigned, qualified mechanic. You may ask for documentation of the mechanic's qualification letter.
4. Once you have completed your inspection of the safety items required on the buses with no deficiencies noted, please print and sign your name to the Part Two form.
5. You will keep the original copy of both forms for your records. The Patrol will determine where your copies will be maintained. The copy should be returned to the school district or contract operator.
6. Affix the sticker in a location that will be visible to passing motorists, but not interfere with driver visibility.

**KANSAS STATE DEPARTMENT OF EDUCATION
SCHOOL BUS INSPECTION RECORD**

**PART TWO
KANSAS HIGHWAY PATROL INSPECTION**

VEH. NO. _____ VIN _____

ITEM	N/A	P	F	ITEM	N/A	P	F
1	<input type="checkbox"/> MECHANICAL INSPECTION COMPLETE	<input type="checkbox"/>	<input type="checkbox"/>	7	EMERGENCY EXITS		
2	VEHICLE EXTERIOR				Rear Emergency Door		
	<input type="checkbox"/> General Appearance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Opens from Inside & Outside	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Owner Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Safety Signal Operates	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> "School Bus" Lettering	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Interior Identification & Lights	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Emergency Exits' Identification/Lettering	<input type="checkbox"/>	<input type="checkbox"/>		Side Emergency Door (Optional, except Rear -Engine)		
	<input type="checkbox"/> Reflective Tape Marked	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Opens from Inside & Outside	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Side Reflector Lenses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Safety Signal Operates	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	Interior Identification & Lights	<input type="checkbox"/>	<input type="checkbox"/>
3	TIRES, WHEELS, & RIMS				Roof Hatches		
	<input type="checkbox"/> Front Tread Depth/Condition (4/32 min.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Opens	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Rear Tread Depth/Condition (2/32 min.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Safety Signal Operates	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Spare Tread Depth/Condition (4/32 min.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Interior Identification	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Wheels & Rims	<input type="checkbox"/>	<input type="checkbox"/>		Window Exits		
				<input type="checkbox"/>	Opens Inside	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	Safety Signal Operates	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	Interior Identification	<input type="checkbox"/>	<input type="checkbox"/>
4	LIGHT SYSTEMS			8	DRIVER'S COMPARTMENT		
	<input type="checkbox"/> Headlights (Low /High Beam)	<input type="checkbox"/>	<input type="checkbox"/>		Seat Belt for Driver		
	Turn Signals			<input type="checkbox"/>	Lap Belt Only	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Right (F & R)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lap/Shoulder Belt Assembly	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Left (F & R)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Belt Cutter (Optional Equipment)	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Emergency Flashers (F & R)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sun Visor/Shield	<input type="checkbox"/>	<input type="checkbox"/>
	Load/Unload Lights						
	<input type="checkbox"/> Yellow (F & R)	<input type="checkbox"/>	<input type="checkbox"/>	9	EMERGENCY EQUIPMENT		
	<input type="checkbox"/> Red (F & R)	<input type="checkbox"/>	<input type="checkbox"/>		Fire Extinguisher		
	Stop Arm(s)			<input type="checkbox"/>	Mounted in Bracket	<input type="checkbox"/>	<input type="checkbox"/>
	Clearance Lamps			<input type="checkbox"/>	Accessible to All on Board	<input type="checkbox"/>	<input type="checkbox"/>
	Identification Lights				First Aid Kit		
	Back Up Lights			<input type="checkbox"/>	Mounted, but Removable	<input type="checkbox"/>	<input type="checkbox"/>
	Tail Lights			<input type="checkbox"/>	Clearly Identified	<input type="checkbox"/>	<input type="checkbox"/>
	Stop (Brake) Lights			<input type="checkbox"/>	Accessible to All on Board	<input type="checkbox"/>	<input type="checkbox"/>
	Alternately Flashing Headlights (Optional)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Contents	<input type="checkbox"/>	<input type="checkbox"/>
	White Strobe (Top) (Optional)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Body Fluid Clean-up Kit		
				<input type="checkbox"/>	Mounted, but Removable	<input type="checkbox"/>	<input type="checkbox"/>
5	MIRRORS & CROSSING ASSISTANCE			<input type="checkbox"/>	Clearly Identified	<input type="checkbox"/>	<input type="checkbox"/>
	Exterior Rear Vision			<input type="checkbox"/>	Accessible to All on Board	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Right Side	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Contents	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Left Side	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Disabled Vehicle Warning Devices	<input type="checkbox"/>	<input type="checkbox"/>
	Front Cross-view			10	BUS INTERIOR		
	<input type="checkbox"/> Right Fender	<input type="checkbox"/>	<input type="checkbox"/>		Free from Unnecessary Projections (i.e.,		
	<input type="checkbox"/> Left Fender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Luggage racks, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
	Interior Bus Mirror			<input type="checkbox"/>	Interior Overhead Storage (Optional)	<input type="checkbox"/>	<input type="checkbox"/>
	Crossing Assistance Arm (Optional)	<input type="checkbox"/>	<input type="checkbox"/>		Interior Aisle Lighting	<input type="checkbox"/>	<input type="checkbox"/>
6	SERVICE DOOR/STEPWELL AREA						
	<input type="checkbox"/> Door Operated by Driver	<input type="checkbox"/>	<input type="checkbox"/>		DISTRIBUTION:		
	<input type="checkbox"/> Properly Opens and Closes	<input type="checkbox"/>	<input type="checkbox"/>		Original – Kansas Highway Patrol Inspecting Trooper		
	<input type="checkbox"/> Stepwell Light Activates When Door Opens	<input type="checkbox"/>	<input type="checkbox"/>		Photocopy – School District or Contract Manager		
	<input type="checkbox"/> Non-Skid Material on Steps	<input type="checkbox"/>	<input type="checkbox"/>				
	<input type="checkbox"/> Handrail Clearance (Nut & String Test)	<input type="checkbox"/>	<input type="checkbox"/>				

DATE OF INSPECTION: _____

TROOPER PERFORMING INSPECTION (Please Print): _____

TROOPER'S SIGNATURE: _____

K - _____

COMMENTS: _____

IF RE-INSPECTION IS REQUIRED:

DEFICIENCIES CORRECTED? YES NO DATE OF RE-INSPECTION _____

TROOPER PERFORMING INSPECTION (Please Print): _____

TROOPER'S SIGNATURE: _____

K - _____

**KANSAS STATE DEPARTMENT OF EDUCATION
SCHOOL BUS INSPECTION RECORD**

USD NO. _____ OWNER'S NAME _____ TYPE OF BUS _____ VEH. NO. _____
 GVWR _____ LBS. BODY MANUFACTURER _____ CHASSIS MANUFACTURER _____
 RATED PASSENGER CAPACITY _____ YEAR OF MANUFACTURE _____ VIN _____
 INSURANCE COMPANY _____ POLICY CURRENT? _____ YES _____ NO _____
 SCHOOL OFFICIAL/CONTRACT PROVIDER SIGNATURE _____
 USE OF BUS (Check All That Apply): _____ Route Bus _____ Spare Bus _____ Activity Bus ODOMETER READING _____ miles

**PART ONE
MECHANICAL SAFETY INSPECTION**

Conforms with requirements of Federal Motor Carrier Safety Administration criteria in 49 CFR, Part 396.17 and Appendix G Periodic Inspection Standards.

ITEM	N/A	P	F	R	ITEM	N/A	P	F	R
1	BRAKE SYSTEM				11	MIRRORS & CROSSING ASSISTANCE			
	<input type="checkbox"/> Hydraulic <input type="checkbox"/> Air					Exterior Rear Vision			
	<input type="checkbox"/> Service Brake System				<input type="checkbox"/>	Right Side			
	<input type="checkbox"/> Parking Brake System				<input type="checkbox"/>	Left Side			
	<input type="checkbox"/> Secondary Brake System					Front Cross-view			
2	SUSPENSION SYSTEM				<input type="checkbox"/>	Right Fender			
	<input type="checkbox"/> U-Bolts, Spring Hangers, or Other Axle Position Parts				<input type="checkbox"/>	Left Fender			
	<input type="checkbox"/> Spring Assembly				<input type="checkbox"/>	Interior Bus Mirror			
	<input type="checkbox"/> Torque Arm/Tracking Components				<input type="checkbox"/>	Crossing Assistance Arm (Optional)			
3	STEERING MECHANISM				12	LIGHT SYSTEMS			
	<input type="checkbox"/> Steering Wheel Free Play				<input type="checkbox"/>	Headlights (Low/High Beam)			
	<input type="checkbox"/> Steering Column					Turn Signals			
	<input type="checkbox"/> Steering Mechanism Components				<input type="checkbox"/>	Right (F & R)			
4	FRAME				<input type="checkbox"/>	Left (F & R)			
	<input type="checkbox"/> Frame Members				<input type="checkbox"/>	Emergency Flashers (F & R)			
	<input type="checkbox"/> Tire and Wheel Clearance					8-way Load/Unload Lights			
	<input type="checkbox"/> Coupling Devices (Optional)				<input type="checkbox"/>	Yellow (F & R)			
	<input type="checkbox"/> Drawbar/Towbar Eye				<input type="checkbox"/>	Red (F & R)			
	<input type="checkbox"/> Tow Hooks				<input type="checkbox"/>	Stop Arm(s)			
5	EXHAUST SYSTEM				<input type="checkbox"/>	Clearance Lamps			
	<input type="checkbox"/> Muffler				<input type="checkbox"/>	Identification Lights			
	<input type="checkbox"/> Exhaust Pipe & Clamps				<input type="checkbox"/>	Back Up Lights			
6	FUEL SYSTEM				<input type="checkbox"/>	Tail Lights			
	<input type="checkbox"/> Tank Fill Area				<input type="checkbox"/>	Stop (Brake) Lights			
	<input type="checkbox"/> Tank & Protective Cage				<input type="checkbox"/>	Alternately Flashing Headlights (Optional)			
	<input type="checkbox"/> Fuel Line				<input type="checkbox"/>	White Strobe Light (Top) (Optional)			
7	TIRES, WHEELS, & RIMS				13	EMERGENCY EXITS			
	<input type="checkbox"/> Front Tread Depth/Condition (4/32 min.)					Rear Emergency Door			
	<input type="checkbox"/> Rear Tread Depth/Condition (2/32 min.)				<input type="checkbox"/>	Opens from Inside & Outside			
	<input type="checkbox"/> Spare Tread Depth/Condition (4/32 min.)				<input type="checkbox"/>	Safety Signal Operates			
	<input type="checkbox"/> Wheels & Rims				<input type="checkbox"/>	Interior Identification & Lights			
	<input type="checkbox"/> Front					Side Emergency Door (Optional, except Rear-Engine)			
	<input type="checkbox"/> Rear				<input type="checkbox"/>	Opens from Inside & Outside			
8	HEATERS				<input type="checkbox"/>	Safety Signal Operates			
	<input type="checkbox"/> Front				<input type="checkbox"/>	Interior Identification & Lights			
	<input type="checkbox"/> Rear					Roof Hatches			
9	DEFROSTERS				<input type="checkbox"/>	Open from Inside & Outside			
	<input type="checkbox"/> Front Interior				<input type="checkbox"/>	Safety Signal Operates			
	<input type="checkbox"/> Exterior Mirrors (Optional)				<input type="checkbox"/>	Interior Identification			
10	WINDOWS				<input type="checkbox"/>	Window Exits			
	<input type="checkbox"/> Windshield Glass & Glazing				<input type="checkbox"/>	Opens Inside			
	<input type="checkbox"/> Windshield Wipers & Washers				<input type="checkbox"/>	Safety Signal Operates			
	<input type="checkbox"/> Side Window Glass				<input type="checkbox"/>	Interior Identification			
DISTRIBUTION:					14	<input type="checkbox"/> HORN			
Original – Kansas Highway Patrol Inspecting Trooper					15	SEATS			
Photocopy – School District or Contract Manager						Driver's Seat			
					<input type="checkbox"/>	Mounting & Condition			
					<input type="checkbox"/>	Driver's Seat Belt Operation			
						Passenger Seats			
					<input type="checkbox"/>	Bolted Tightly to Floor			
					<input type="checkbox"/>	Seat Latches Secured			
					<input type="checkbox"/>	Seat Belts (Optional, except Type A)			
					<input type="checkbox"/>	Integrated CPS (Optional)			

DATE OF INSPECTION: _____ DATE REPAIRS COMPLETED (if necessary): _____

NAME OF QUALIFIED MECHANIC (Please PRINT Legibly): _____

NAME OF MECHANIC'S EMPLOYER: _____

SIGNATURE OF MECHANIC: _____

COMMENTS: _____

THIS FORM IS TO BE REPRODUCED ON SCHOOL DISTRICT/COMPANY LETTERHEAD

I, _____, hereby certify that I am knowledgeable in the requirements for performing an annual vehicle inspection, and I can identify defective components in compliance with the regulations of the Federal Motor Carrier Safety Administration for annual vehicle inspections contained in 49 CFR, Part 396, Appendix G. I hereby agree to comply with all such governing annual vehicle inspections.

A qualified inspector must meet one or more of the following requirements. Please check those applicable:

- _____ Successfully completed a state or federally sponsored training program which qualifies me to perform as a commercial vehicle safety inspector.
- _____ One year of training and/or experience in truck/bus manufacturer or similar commercially sponsored training designed to train in truck/bus maintenance.
- _____ One year experience as a mechanic or inspector in truck/bus maintenance at a commercial garage, fleet-leasing, or similar facility.
- _____ One year experience as a commercial vehicle inspector for a state, provincial, or federal government.

Signature of Mechanic/Inspector

I, _____, hereby acknowledge that _____, meets the requirements for a qualified inspector to perform the annual vehicle inspection in compliance with the regulations of the Federal Motor Carrier Safety Administration for qualified inspectors contained in 49 CFR, Part 396.

Dated this _____ day of _____, 20__.

Signature of Appointing Authority

INSTRUCTIONS FOR COMPLETING
SCHOOL PASSENGER VEHICLE
INSPECTION FORMS
FOR THE SCHOOL YEAR

School District or Contract Manager:

The passenger vehicle inspection form is a legal-sized, two-part form. Complete top portion of the form. "VIN" stands for "Vehicle Identification Number". This is a unique number assigned to every vehicle by its manufacturer. This number should be visible when looking through the windshield on the driver's side of the vehicle.

Inspecting Mechanic:

1. Review the listing of items to be inspected on both parts of the form. In the "N/A" Column, mark any of the inspection items that are not applicable to the vehicle being inspected.
2. While passenger vehicles are not subject to the same standards as commercial vehicles (i.e., school buses), any vehicles used for student transportation must be inspected and maintained to a high standard. The vehicle owner's manual is usually an excellent source for maintenance criteria for passenger vehicles.
3. When the mechanical inspection has been completed, sign the Part One form as required. Your signature on the form signifies that the vehicle met or exceeded the applicable criteria on the date you completed the inspection.
4. Contact the Kansas Highway Patrol to complete Part Two of the inspection. KHP inspections occur between July 1 and September 30 each year in compliance with K.A.R. 91-38-5.

Kansas Highway Patrol Inspectors:

The items you will be inspecting are as critical to safe operation of the school passenger vehicles as the mechanical inspections.

1. The school district personnel or mechanic should review items to be checked on Part Two of the inspection form prior to contacting you for the final phase of inspection and indicated items that are not applicable as being equipped on each vehicle inspected.
2. Check Part One of the inspection record to make sure the mechanical inspection has been completed, passed, and signed off by the assigned, qualified mechanic. You may ask for documentation of the mechanic's qualification letter.
3. Once you have completed your inspection of the safety items required on the vehicles with no deficiencies noted, please print and sign your name to Part Two of the form.
4. You will keep the original copy for your records. The Patrol will determine where your copies will be maintained. The copy should be returned to the school district or contract operator.
5. Affix the sticker in a location that will be visible to passing motorists, but not interfere with driver visibility.

Testimony before the House Transportation Committee regarding HB 2486

January 27, 2010

Linda Kenne, Superintendent, USD #432 Victoria

Victoria is a rural district in Western Kansas and we do not have regular bus routes. Our parents bring their children to school and we pay them mileage. We do own several buses, however, and they are regular yellow school buses and fall under the current law that only allows schools to use school buses that are less than 20 years old.

Last year we had our first bus turn 20 and had to replace the bus. It was in excellent condition, had 103,000 miles and had rarely seen an unpaved road. Nevertheless, we bought the new bus and tried to sell the 20-year old bus. We sent flyers to every church in the phone book within a two to three county range. We placed ads in the papers, put the announcement on the cable TV station and sent an announcement to every patron in the district. We had one bidder and sold that perfectly fine bus for \$550. The buyer used the motor and engine and junked the rest.

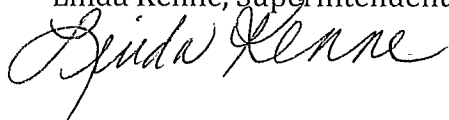
This year we face the same prospect, however, we cannot afford to buy another bus. This bus is also in excellent condition, only drives on paved roads and has 74,000 miles. We will have to park this bus in March and attempt to sell it. School buses are designed to go far more than 100,000 miles.

All of our buses must be inspected each year. Our buses are well maintained. All of our school districts in Kansas are unique. Some schools must buy new buses because they are so heavily used. Others, like Victoria, do not. Our local school board tries to be as fiscally responsible as possible. It is hard for these western farmer men and women to understand why we have to junk a perfectly fine piece of equipment simply because of age.

This bill will give us some breathing room to buy a new bus and will allow us to use equipment that is in great working order for a few years more. On behalf of our school board, I urge you to consider passing HB 2486.

Thank you,

Linda Kenne, Superintendent



U.S.D. #432 Victoria

Linda Kenne

*U.S.D. 432 Superintendent &
Elementary Principal*

P.O. Box 157
Victoria, KS 67671

785-735-9212
Fax 785-735-9229

e-mail: lkenne@rural.ks.gov House Transportation

Date: 1-27-10

Attachment # 17

Betty Boaz

From: Bill Froese [bill.froese@mcpherson.com]
Sent: Tuesday, January 19, 2010 7:18 AM
To: Gary Hayzlett
Subject: bus retirement age

Mr. Hayzlett. My name is Bill Froese. I am the Transportation Director for McPherson Schools. We have recently been doing our best to replace a number of busses that are coming due with the 20 year law. In this desperate financial time this has been very difficult. We have been buying used busses just to get by. While I understand and believe that this is a necessary law, I believe that it could be extended by 5 years. Thanks

Bill Froese
bill.froese@mcpherson.com

House Transportation
Date: 1-27-10
Attachment # 18

Betty Boaz

From: David Carriger [dcarriger@usd493.com]
Sent: Monday, January 18, 2010 7:44 AM
To: Gary Hayzlett
Subject: School Buses

Dear Representative Hayzlett:

Please support the new legislation to increase bus transportation retirement age from 20 to 25 years. With the decrease in school funding this would allow us to keep current fleets in place longer.

Thank you.

Sincerely,

David Carriger
Superintendent
USD 493 Columbus

House Transportation
Date: 1-27-10
Attachment # 19

Betty Boaz

From: Mike Baldwin [baldwinm@usd300ks.com]
Sent: Tuesday, January 26, 2010 5:45 PM
To: Betty Boaz
Subject: HB2486

Ms. Boaz:

Please forward this email to Rep. Gary Hayzlett regarding HB2486.

Re. Hayzlett:

Thank you for your involvement in introducing HB2486.

Comanche County USD 300 strongly supports HB2486.

All school district vehicles must pass two state mandated inspections each year. One is mechanical inspection and the second by the Kansas Highway Patrol. Both inspections are completed by trained state licensed personnel.

A vehicle failing one or both inspections must be corrected of all violations. The vehicle will be re-inspected by a licensed mechanic and/or highway patrol. If the vehicle passes both inspections, the vehicle is added to the approved district transportation fleet.

Passing of HB2486 to increase the mandatory age to 25 years does not mean that all school districts will keep their transportation vehicles for 25 years. It only means that school district will have an additional five years to make plans to replace the vehicle. This extra time is necessary in these difficult and uncertain financial times.

Increasing the school bus and van mandatory age limit from 20 to 25 years would provide an immediate financial relief for all school districts. This financial relief will have a direct and immediate impact on school districts needing to replace school buses in the immediate and/or near future due to the current mandatory 20 year retirement age.

Please contact me at school (620-582-2181) or at home (620-582-2026) should you have questions.

Again, thank you for your support of HB2486

Below is the email I sent to the Kansas superintendent list serve regarding the need for state legislatures to re-write the state statute to allow public schools to use van and school bus transportation up to 25 years. Currently the age limit is 20 years. This is the response superintendents heard at the legislative forum in Dodge City on December 2nd.

Southwest Plains Regional Service Center held a Legislative Forum in Dodge City on December 2nd. During the question and answer session, Representatives Steven Morris, Pat George and Jeff Whitham spoke in favor of raising the school bus mandatory limit from 20 to 25 years. All three representatives stated that each superintendent should contact their area representatives.

Needless to say, those in attendance were pleased to have all three representatives agree to help change this law. A law to increase the school bus retirement age to 25 will give each school district some breathing room regarding bus/van replacement.

Michael Baldwin
Superintendent/HS Principal
Comanche County USD #300
Tel. 1-620-582-2181
Fax 1-620-582-2540

House Transportation
Date: 1-27-10
Attachment # 20

Testimony on HB 2486

House Transportation Committee

January 27, 2010

Submitted by: Cheryl L. Semmel, executive director

The mission of United School Administrators of Kansas (USA|Kansas*), through collaboration of member associations, is to serve, support, and develop educational leaders and to establish USA|Kansas as a significant force to improve education.

This testimony is provided in support of HB 2486, which would amend K.S.A. 8-2009a and extend the school bus exception rule from 20 to 25 years. Administrators appreciate your efforts to provide additional flexibility as we continue to confront the challenges of this unprecedented economic climate.

This bill would allow school districts and contractors to continue with their current replacement schedule or have the option to operate their buses for up to 25 years. HB 2486 would allow districts to determine, on a case-by-case basis, the viability of retaining school buses in their fleet. Decisions to exercise this additional flexibility will vary from district to district based on mileage, road conditions and other factors.

Extending the life of school buses to 25 years is a cost-saving measure, which may help some school districts operate more efficiently and realize immediate savings. This extension may also serve to increase the resale value of buses for districts that choose to keep the current replacement schedule.

As you consider HB 2486, please be assured that administrators will always weigh the safety and well-being of students when evaluating whether to extend the life of a school bus. In closing, I would like to reiterate that administrators appreciate your efforts to identify additional flexibility and cost-savings measures for school districts and thank you for your leadership.

*USA|Kansas represents more than 2,000 individual members and ten member associations:
Kansas Association of Elementary School Principals
Kansas Association of Middle School Administrators
Kansas Association of School Administrators
Kansas Association of School Business Officials
Kansas Association of School Personnel Administrators
Kansas Assoc for Supervision and Curriculum Development
Kansas Association of Special Education Administrators
Kansas Association of Secondary School Principals
Kansas Council of Career and Technical Education Administrators
Kansas School Public Relations Association

House Transportation
Date: 1-27-10
Attachment # 21

Kansas House Transportation Committee

**Chairman
Representative Gary Hayzlett**

House Bill # 2486

January 27, 2010

**Barbara Pringle
Executive Director
Kansas State Pupil
Transportation Association
P.O. Box 1504
Emporia, Kansas 66801
620-341-1744
E-mail pringrb@seamless.net**

House Transportation
Date: 1-27-10
Attachment # 22

On behalf of the Kansas State Pupil Transportation Association I would like to express our opposition to House Bill 2486. This bill would extend the time period a school bus could be used from 20 years to 25 years and exemption from meeting many safety requirements.

Twenty-five years for compliance of school bus safety regulations is inappropriate and a safety concern for our children. We have the responsibility to provide safe, efficient transportation for our children.

Current safety equipment that would be exempt on some buses for an additional Five years include:

- * Increased emergency exits such as side emergency doors, roof hatches and push out side windows.
- * Reflective materials on the rear and sides of the bus to increase conspicuity
- * Back-up warning alarms
- * Anti-Lock Brakes
- * Requirements for driver visibility in front and to both sides of the school bus with the use of improved mirror systems
- * Strobe Lights on the Roof of the Bus
- * Driver's seat and shoulder harness to protect driver from impact with the steering column
- * Flame retardant materials on seat cushions
- * Body fluid clean up kits
- * High Back Seats to enhance Compartmentalization
- * Forward facing seats and wheel chairs
Special Needs buses were not addressed in Kansas regulations until 1995

This bill will delay safety features on many buses until the year 2019. The National Transportation Safety Board and National Highway Traffic Safety Administration have determined these safety features to be necessary for the safety of the children.

A favorable vote on bill 2486 will mean a step backwards for school bus safety in Kansas and putting our children in jeopardy unnecessarily.

I urge you to oppose this change and not allow the use of 25 year old school buses with inadequate safety features to transport our children.

You can't run a bus forever, as it gets older, you have problems with maintenance issues. It is more cost effective at some point to buy a newer

vehicle. Studies conducted have shown that operating cost substantially increase when a bus reaches 12 to 15 years old.

Additional issues with older buses includes emissions and fuel mileage. Newer buses run cleaner and are more fuel efficient. We also have concerns that a 20 to 25 year old bus may not be structurally sound or have metal fatigue due to corrosion problems.

We do realize there is a financial crisis our state and school districts are experiencing. We are all in this together but we don't want to sacrifice safety at the children's expense.

If you decide to proceed with this change please consider a limit on the 25 years and a date to revert back to the current requirement.

School doesn't start until the students arrive safely, it is our responsibility to provide them with safe transportation.

I wonder how many people in this room drive a 25 year old vehicle and consider it safe reliable transportation.

This is more than a financial issue it is an issue that could have serious safety consequences.

Respectfully,

Barbara Pringle
Executive Director
Kansas State Pupil Transportation Association
P.O. Box 1504
Emporia, Kansas 66801
620-341-1744
E-mail pringrb@seamless.net



NATIONAL ASSOCIATION OF
STATE DIRECTORS OF
PUPIL TRANSPORTATION SERVICES

School Bus Replacement Considerations

Issued January 2002

Background:

School buses represent the largest bus operation in the country, and provide more trips to passengers than transit buses. There are nearly 450,000 school buses operating in the United States. These buses safely and efficiently transport nearly 25 million children to and from school and school-related activities. In an average school year, school buses provide approximately 10 billion student trips and have the best safety record of any vehicle on the road. School buses come in various designs and capacities. Some are constructed on van chassis and carry less than 20 passengers. Others are built on unique school bus chassis and can carry nearly 90 passengers. Additionally, school buses across the country have numerous differences in terms of their standard and optional equipment. The school bus fleet is composed of buses of various ages with different mileage accumulations. It is a remarkable fleet of vehicles.

Question:

Are there factors that should be considered when developing and implementing policies for determining how long a school bus should be used for school transportation purposes?

Discussion:

This Information Report is not intended to dictate precise school bus replacement policies, since there are multiple issues at state and local levels that are involved in such decisions. However, the National Association of State Directors for Pupil Transportation Services believes the timely replacement of school buses must be a planned process. The information contained in this report is intended to provide insight into the factors (safety, efficiency, environmental, maintenance, operational conditions, etc.) that are involved in making decisions concerning school bus replacement policies.

Available funding is likely the single most important consideration in determining when school buses are replaced. That being said, there appear to be at least two scenarios that should have an impact on decisions concerning school bus replacement.

First, whenever there is a significant improvement in the federal standards for the safety, fuel efficiency or exhaust emission requirements of school buses, it appears reasonable to establish a policy with respect to timely replacement of the older buses with newer school buses. A good example of this occurred in April 1977 when the

National Highway Traffic Safety Administration issued a set of stringent Federal Motor Vehicle Safety Standards for school buses. Since then, the federal government has maintained a policy that pre-1977 school buses should be replaced at the earliest possible time. Fortunately, most states and local school districts no longer operate pre-1977 school buses, and the few that remain typically are used as "reserve" or "back-up" school buses. Other examples include the diesel

emission requirements implemented in 1988 and the substantial changes to the school bus emergency exit and exterior mirror requirements made in the early 1990s.

The determination of what constitutes a "significant" improvement is something that must be defined by those that choose to incorporate this concept into their logic for determining when to replace a school bus. For some improvements, it is likely that a consensus of what constitutes "significant" could be achieved easily. For other items, it may be impossible to get everyone to agree on the importance of the improvement.

It is reasonable to assume that there will be continued improvements in the Federal Motor Vehicle Safety Standards that apply to school buses. Some of those improvements will likely apply to passenger safety, while others may be directed at avoiding crashes, and still others to driver safety. At the same time, federal requirements and recommendations with respect to fuel efficiency and vehicle emissions will likely continue. Unless school bus replacement plans are developed and implemented, these improvements in safety, efficiency and cleaner air will not reach their desired goals in a timely manner.

Second, whenever the operating and maintenance expenses on a school bus, or group of school buses, reaches a certain level, it appears that the better economic decision would be to purchase a new bus rather than continue to maintain the older school bus. This is the classical cost/benefit analysis. Do the benefits of buying a new school bus offset the costs?

It is widely accepted that it is more costly to operate and maintain older school buses than newer school buses. However, the vehicle age at which the total operating costs of an older bus versus a newer bus becomes intolerable is not an exact science. In the mid-1980s, independent studies of annual school bus operating costs were conducted in California and Washington. Both studies reached the same conclusion - after 12 years of use, the annual operating costs of Type C and D school buses began to increase significantly and continued an annual increase each year thereafter.

A January 2000 study of life cycle costs for Type D school buses in South Carolina indicated that 15 years should be adopted as the cycle for school bus replacement. The study also noted that school buses that accumulate mileage more quickly, such as the special needs school buses in South Carolina, should have their life cycle cost analyses based on mileage accumulation not age.

No studies of life cycle costs for Type "A" and "B" school buses were found. Since these types of school buses are of a lighter duty design, it appears likely that they would have slightly shorter anticipated lifetimes than Type "C" and "D" school buses.

While those studies suggested a "rule-of-thumb" for large school buses in general, it is clear that maintenance and operating cost data on individual school buses may provide the information needed to better define when individual or groups of school buses should be replaced. For example, reviews of individual school bus maintenance costs may identify buses that can be operated longer or which should be replaced sooner.

It is commonly accepted that good preventive maintenance reduces the frequency and costs of breakdowns and the resulting corrective maintenance. Likewise, the terrain and road conditions over which school buses operate can have an impact on the frequency and cost of maintenance. Additionally, the climatic conditions in the area can impact maintenance costs. The environmental conditions of how and where school buses are stored can directly impact the useful life of various components; especially those made of plastic, rubber or vinyl.

School bus breakdowns result in several problems. First is the cost of towing and repairing the school bus. Second, breakdowns on the home-to-school trip result in loss of classroom time for students, a particularly important point for school administrators. Third, a breakdown could increase the risks to children while they wait in or near the broken down school bus for a replacement bus.

Like any cost/benefit analysis there may be discretion in terms of defining all of the items that fall under the "benefits" category. Clearly reduced maintenance and operating costs are benefits. But what other items are included and how are they calculated? For example, what is the value of having a school bus that has the latest safety or emission features? Does the cost of insurance on the school bus reflect that it complies with the latest federal and state safety requirements? How much does risk management figure into the calculations?

Conclusions

Unfortunately, there is no "silver bullet" answer to these and other questions. However, accurate and thorough records on the operating and maintenance costs (both preventive and corrective maintenance) of all school buses in a fleet will provide the data necessary to analyze and understand costs. Information from insurance companies and risk managers can be obtained that are specific to your state or school district. With solid data and information, it is easier to make informed recommendations and decisions.

Establishing school bus replacement policies is an important activity, since it directly impacts the timeliness of introducing the latest safety, efficiency and emissions improvements into the fleet. The elimination of school buses that do not meet the latest standards or requirements must be planned for within a realistic number of years. Policy makers must realize that school buses will not last forever, regardless of how they are equipped when purchased or maintained during their lives.

Improvements in state school bus specifications must be developed with the objective of improving safety and efficiency, reducing emissions and reducing the operating cost of the bus over the anticipated lifetime. The pupil transportation industry is responsible for the safe and efficient transportation of our children. Accordingly, the timely inclusion of new school bus safety features and new means of improving efficiency or reducing emissions are in the best interest of everyone.

With the previous discussion in mind, the following anticipated lifetimes under normal operating conditions for different types of school buses are suggested:

Type "C" and "D" school buses -- 12 to 15 years

Type "A" and "B" school buses -- 8 to 10 years

Mileage Considerations:

As previously discussed, the life cycle cost study in South Carolina noted that school buses that accumulate mileage more quickly should have replacement decisions based on mileage accumulation rather than age.

According to data published by the Federal Highway Administration, the average annual mileage for all school buses is approximately 8,000 miles. This average is consistent with the data published by the school bus industry - 450,000 school buses traveling 4 billion miles per year. However, based on discussions with individual state directors and local transportation directors it appears that many individual school buses accumulate much higher annual mileage. For example, school buses in South Carolina average more than 15,000 miles per year. This difference in average annual mileage is likely influenced by the inclusion of spare and substitute school buses in the national averages. Based on average mileage accumulations by school buses in South Carolina, the state believes school buses should be replaced on a 15-year or 250,000 mile cycle.

While higher annual mileage accumulation may be used as a criterion to shorten lifetimes of individual buses, lower than average annual mileage accumulation is not necessarily a criterion to use buses for an extended number of years.