

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on February 4, 2010, in Room 783 of the Docking State Office Building.

All members were present, except
Representative Shirley Palmer, excused
Representative Gene Rardin, excused

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

Conferees appearing before the Committee:
Representative Ron Worley
Mike Hoeme, Director of Transportation, Kansas Corporation Commission
Alice M. Amrein, Transportation Director for Johnson County
Lisa Koch, Public Transit Manager for KDOT

Others attending:
See attached list.

Chairman Hayzlett called the meeting to order. He opened the hearing on **HB 2485**.

HB 2485 - Increasing time period for audit of certain motor carriers.

Chairman Hayzlett recognized Mike Hoeme, Director of Transportation, KCC. (Attachment #1) According to Mr. Hoeme the purpose of **HB 2485** is to amend two KCC Transportation statutes. The amendment will extend the time period his Division has to verify that a motor carrier is fit, knowledgeable and in compliance with the Commission's safety rules and regulations. The extension would be from 12 months to 18 months which is consistent with the federal rules and will eliminate an inconsistency between the two programs. Mr. Hoeme introduced Max Strathman who is the Kansas Division Administrator for the Federal Motor Carrier Safety Administration. Mr. Hoeme said Mr. Strathman works closely with his Division and the Highway Patrol.

The Committee had no questions of Mr. Hoeme. There were no additional proponents and no opponents so Chairman Hayzlett closed the hearing on **HB 2485**. The Chairman opened the hearing on **HB 2561**.

HB 2561 - Allowing transit buses to be operated on right shoulder of certain highways.

Chairman Hayzlett recognized Representative Worley. (Attachment #2) According to Representative Worley this bill will permit public transit busses to use and operate on the right hand shoulders in designated sections of city connecting links and highways. He said this program would facilitate the flow of traffic in metropolitan areas and reduce travel time for public transit busses thereby encouraging more people to use the busses to get to work. It would reduce the need for additional lanes and or more roads. He said this would be especially helpful during the morning and evening times and reduce vehicles on the roadways.

The next proponent recognized was Alice Amrein, Transportation Director for Johnson County. (Attachment #3) According to Ms. Amrein this bill will provide KDOT the authority to permit transit busses to use and operate on the right-hand shoulders of cities connecting links and highways. This bill will allow transit busses to operate on the right shoulder when the flow of traffic is below 35 miles per hour. She said this will increase the capacity through the reduction of vehicles on the road and will help efficiently move people during the peak traffic volumes. Ms. Amrein concluded that this operation is used successfully in a number of metro areas.

Chairman Hayzlett recognized Lisa Koch, Public Transit Manager for KDOT, as the next proponent. (Attachment #4) According to Ms. Koch, KDOT has been working closely with the Johnson County Transit

CONTINUATION SHEET

Minutes of the House Transportation Committee at 1:30 p.m. on February 4, 2010, in Room 783 of the Docking State Office Building.

as they have been preparing for Bus on Shoulder operations on I-35. She said KDOT understands the operational details of this service and supports this project. Ms. Koch said they see it as a way to relieve congestion on one of the state's busiest sections of highway. This legislation is not location specific so KDOT will be authorized additional locations as appropriate. She concluded by saying KDOT will work with the authorized transit provider to define a signing plan for authorized locations to inform drivers of busses on shoulder operations.

There were no other proponents and no opponents. After all questions were answered, the Chairman closed the hearing on **HB 2561**.

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

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 2-4-10

NAME	REPRESENTING
Judy Jenson	Kansas Corporate Commission
Alice M Amern	Johnson County Transit
L. Scott Caldwell	Johnson County Transit
Terry Heidner	KDOT
DAN MEYER	KHP
Lisa Koch	KDOT
Ray Wilk	KDOT - DoFV
Dan Davenport	KCC
Lindsey Douglas	KDOT
Ted Smith	KDOT
Spencer Duncan	Capitol Connection
KEVIN GREGG	KACA



*Mark Parkinson, Governor
Thomas E. Wright, Chairman
Michael C. Moffet, Commissioner
Joseph F. Harkins, Commissioner*

**Before the House Transportation Committee
Comments by the
Staff of the Kansas Corporation Commission
February 4, 2010**

House Bill 2485

Chairperson Hayzlett and Distinguished Members of the Committee:

My name is Mike Hoeme. I am the Director of Transportation for the Kansas Corporation Commission. My division is responsible for administering and enforcing the economic and safety statutes and regulations governing motor carrier operations. I am appearing today on behalf of the KCC Staff and in support of HB 2485.

The purpose of HB 2485 is to amend two KCC Transportation statutes. The proposed amendments to K.S.A. 66-1,114 section (c) and K.S.A. 66-1,114b section (d) will extend the time period our Division has to verify that a motor carrier is fit, knowledgeable and in compliance with the Commission's safety rules and regulations. This amendment would extend the verification period from 12 months to 18 months. The 18 month timeline is consistent with the federal New Entrant rules; this proposed amendment will eliminate one of the last remaining inconsistencies between the two programs.

In FY 2001, the KCC incorporated the Federal Motor Carrier Safety Administration's (FMCSA) compliance review (CR) guidelines and CAPRI software into its compliance program. To ensure consistency with the federal program in FY 2003, our division adopted the FMCSA certification guidelines which benefit both enforcement and the motor carrier industry. And today, we are again working to update our safety compliance program to reflect current changes in the federal program. This involves the minor timeline changes listed above.

At this time I would like to introduce Max Strathman, Max is the Kansas Division Administrator for FMCSA. Max works closely with the KCC Transportation Division and the Highway Patrol as a resource for our agencies and partner in our enforcement efforts. This concludes my testimony. Thank you for the opportunity to appear before you today. Max and I are happy to entertain any questions you may have.

House Transportation
Date: 2-4-10
Attachment # 1

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

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RON WORLEY
30TH DISTRICT

HOUSE TRANSPORTATION COMMITTEE
FEBRUARY 4, 2010

TESTIMONY RE: HB 2561

I am here in support of HB2561 which would permit public transit buses to use and operate on the right hand shoulders in designated sections of city connecting links and highways in the state highway system. Such a program would facilitate the flow of traffic in metropolitan areas, thereby reducing required travel time for public transit buses and thus encouraging more people to use public buses to get to work. This program would also postpone or reduce large expenditures required to add additional lanes and/or more roads. It would provide very low cost and nearly immediate relief to current traffic congestion, especially during the morning and evening drive times as it will serve to reduce the number of private passenger vehicles on the highways.

Thank you for your attention and consideration today.

House Transportation
Date: 2-4-10
Attachment # 2

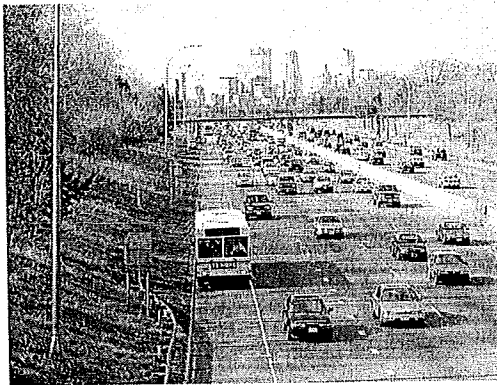
I-35 Fixed Guideway Implementation Study Bus On Shoulder Operations



Purpose: Johnson County is requesting legislative authority be authorized to the Kansas Department of Transportation to permit transit buses to use and operate on the right hand shoulders of city connecting links and highways in the state highway system.

Background

Johnson County Transit (JCT) has been pursuing an enhanced transit service in the I-35 corridor. Bus Rapid Transit (BRT) was adopted by the Board of County Commissioners as the Locally Preferred Alternative in 2008. JCT worked with KDOT on evaluating the feasibility of giving express buses priority over general vehicular traffic in the I-35 Corridor by using the Bus On Shoulder operating strategy.



JCT embarked on an implementation study – phase I with the assistance of a consultant team lead by HNTB. The primary project objectives were to identify priority BRT routes, update capital and operating costs and create a plan for implementation. Another key objective was to evaluate and develop plans for the Bus On Shoulder (BOS) operating strategy.

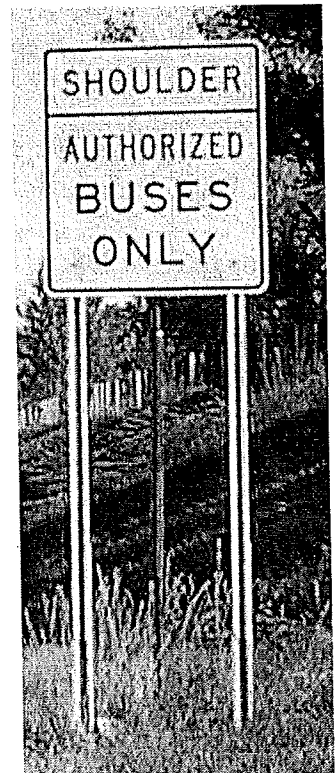
Bus Only Shoulders Operations

Enhanced express bus service in the I-35 Corridor requires a means for providing buses an advantage over automobiles. Bus on Shoulder (BOS) operation is used successfully in a number of metro areas. Minneapolis has deployed over 250 miles of BOS on urban freeways and arterials. This link to Minnesota DOT's web site provides more information: <http://www.dot.state.mn.us/metro/teamtransit>. Increasingly transit agencies and transportation departments are turning to this technique as a way to improve transit service and increase the effectiveness of urban roadways without the large infrastructure investment required of other improvements.

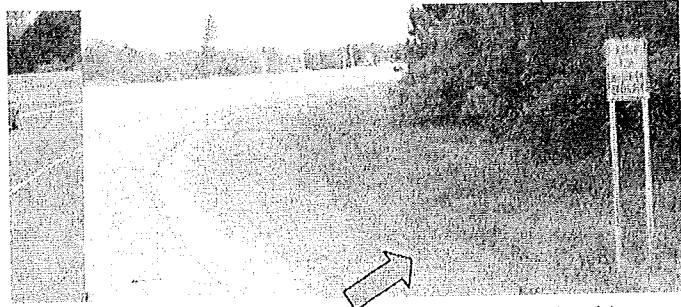
The BOS concept is straightforward. Buses are permitted to use the shoulder in designated sections of the freeway when traffic congestion reduces traffic speeds below a certain level, usually 35 MPH. The designated BOS sections are predetermined based on the physical and operational characteristic of the shoulder and the freeway. Interchange areas are evaluated on a case-by-case basis to determine how buses can best operate through the interchange. BOS operation is only permitted where it can be used safely.

The shoulder remains a shoulder in terms of its functions. If the shoulder is in use by a disabled vehicle or an emergency vehicle the bus cannot use the shoulder and must merge back into the adjacent traffic stream.

The safety of BOS is further enhanced by restrictions on transit operations. The speed differential is limited to ten mph. Thus if traffic is at 30 mph buses can only travel at 40 mph. Buses can pass stopped traffic at ten mph.



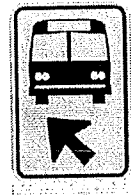
Signage, pavement markings and an effective public information campaign, along with bus driver training are also parts of a successful BRT operation employing BOS.



Watch for Buses on Shoulder sign (posted at entrance ramps or cross streets)

Signs

Exception sign (posted at "pinch point" on BOS)



Typical Shoulder sign (posted approx every 1 mile) "Begin" or "End" signs may be posted above this sign

No Special Pavement Markings

BOS was evaluated briefly during the Alternatives Analysis. In 2006 several KDOT managers participated in presentations and demonstrations in Minneapolis and concluded the concept was feasible and should be studied further for application in the I-35 Corridor. The BOS operating technique will be studied further during the current project.

Benefits of Bus on Shoulder Operations

The benefits of transit include reduced travel time and priority over automobiles, both of which will make transit more attractive to Johnson County Commuters. Perhaps the most important benefit is to improve the reliability and timeliness of transit service. I-35 traffic conditions are unpredictable. An incident can result in delays that not only delay commuters but have compounding effects on bus schedules. Finally, the perception of enhanced bus service is important – a bus passing stopped or delayed traffic on I-35 will have a significant effect on how Johnson Countians view transit service.





TESTIMONY BEFORE
HOUSE TRANSPORTATION COMMITTEE

REGARDING HOUSE BILL 2561
RELATED TO ALLOWING BUSES TO DRIVE ON SHOULDERS

February 4, 2010

Mr. Chairman and Committee Members:

Good Afternoon, my name is Alice M. Amrein, Transportation Director for Johnson County Government in Olathe, Kansas. I am here to testify in support of House Bill 2561 which would allow the operation of transit buses to operate on certain shoulders, amending K.S.A. 8 -1517 and repealing the existing section.

Purpose: Johnson County is requesting legislative authority, through House Bill 2561 to provide the Kansas Department of Transportation authority to permit transit buses to use and operate on the right hand shoulders of city connecting links and highways in the state highway system. This legislation will allow transit buses to operate on the right shoulder when the flow of traffic is below 35 mph. This will increase capacity on the interstate, through the reduction of vehicles on the road and will help effectively and efficiently move people during the peak traffic volumes.

Background: Johnson County Transit (JCT) along with the Kansas Department of Transportation (KDOT), the Federal Transit Administration and Johnson County Government have been pursuing an enhanced transit service option in the I-35 Corridor. Bus Rapid Transit (BRT) was adopted by the Board of County Commissioners as the Locally Preferred Alternative in 2008. JCT worked with KDOT on evaluating the feasibility of giving express buses priority over general vehicular traffic in the I-35 Corridor by using the Bus On Shoulder operating strategy.

JCT, along with our state and federal partners, embarked on a phased implementation study with the assistance of a consultant team lead by HNTB. The primary project objectives were to identify priority BRT routes, update capital and operating costs and create a plan for implementation. Another key objective was to evaluate and develop plans for the Bus On Shoulder (BOS) operating strategy.

Bus On Shoulders Operations: Enhanced express bus service in the I-35 Corridor requires a means for providing buses an advantage over automobiles. Bus on Shoulder (BOS) operation is used successfully in a number of metro areas. Minneapolis has deployed over 270 miles of BOS on urban freeways and arterials. This link to Minnesota DOT's web site provides more information: www.dot.state.mn.us/metro/teamtransit.



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House Transportation
Date: 2-4-10
Attachment # 3

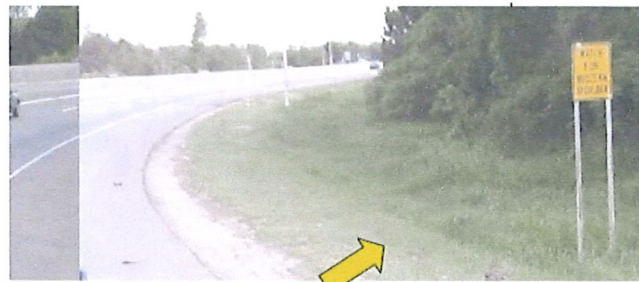
Increasingly transit agencies and transportation departments are turning to this technique as a way to improve transit service and increase the effectiveness of urban roadways without the large infrastructure investment required of other improvements.

The BOS concept is straightforward. Buses are permitted to use the shoulder in designated sections of the freeway when traffic congestion reduces traffic speeds below a certain level, usually 35 MPH. The designated BOS sections are predetermined based on the physical and operational characteristic of the shoulder and the freeway. Interchange areas are evaluated on a case-by-case basis to determine how buses can best operate through the interchange. BOS operation is only permitted where it can be used safely.

The shoulder remains a shoulder in terms of its functions. If the shoulder is in use by a disabled vehicle or an emergency vehicle the bus cannot use the shoulder and must merge back into the adjacent traffic stream.

The safety of BOS is further enhanced by restrictions on transit operations. The speed differential is limited to ten mph. Thus if traffic is at 30 mph buses can only travel at 40 mph. Buses can pass stopped traffic at ten mph.

Signage, pavement markings and an effective public information campaign, along with bus driver training are also parts of a successful BRT operation employing BOS.



Watch for Buses on Shoulder sign (posted at entrance ramps or cross streets)

Signs

Exception sign (posted at "pinch point" on BOS)



Typical Shoulder sign (posted approx every 1 mile) "Begin" or "End" signs may be posted above this sign

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BOS was evaluated briefly during the Alternatives Analysis. In 2006 several KDOT managers participated in presentations and demonstrations in Minneapolis and concluded the concept was feasible and should be studied further for application in the I-35 Corridor. The BOS operating technique will be studied further during the current project.

Benefits of House Bill 2561 that would allow Bus on Shoulder Operations: The benefits of this legislation allows for transit bus movement on the right shoulder and will include reduced travel time and priority over automobiles, both of which will make transit more attractive to Johnson County Commuters. Perhaps the most important benefit is to improve the reliability and timeliness of transit service. I-35 traffic conditions are unpredictable. An incident can result in delays that not only delay commuters but have compounding effects on bus schedules. Finally, the perception of enhanced bus service is important – a bus passing stopped or delayed traffic on I-35 will have a significant effect on how Johnson Countians view transit service.

Initial Costs: Estimated costs, associated with I-35 improvements, is approximately \$2,400,000. This includes removal of rumble strips and other related shoulder work. Cost of signage and striping is approximately \$150,000 – 200,000.

Finally, I would like to thank you for considering this bill, our partners at the Kansas Department of Transportation and for all the users of the I-35 Corridor that will benefit from this legislation and the bus on shoulder service. The Board of County Commissioner has endorsed this transit operating concept and has made this legislation one of their top priorities.

Respectfully submitted,

Alice M. Amrein
Alice M. Amrein, CCTM
Transportation Director

**TESTIMONY BEFORE
HOUSE TRANSPORTATION COMMITTEE**

**REGARDING HOUSE BILL 2561
RELATED TO ALLOWING BUSES TO DRIVE ON SHOULDERS**

February 4, 2010

Mr. Chairman and Committee Members:

I am Lisa Koch, Public Transit Manager for the Kansas Department of Transportation (KDOT). My testimony today will describe KDOT's support of House Bill 2561 and will provide information about how KDOT will implement this legislation, should it be passed.

The Kansas Department of Transportation has worked closely with Johnson County Transit as they have planned for Bus on Shoulder operations on I-35. KDOT understands the operational details of this service and supports this project as an opportunity to relieve congestion on one of the state's busiest sections of highway.

Because highway congestion is not limited to the section of I-35 where Johnson County Transit proposes to operate, this legislation does not specify a location, but instead allows KDOT the authority to authorize additional providers and locations as it is deemed appropriate. If this legislation is passed, KDOT is willing to develop a framework for authorizing transit providers to operate on certain sections of the State Highway System. Additionally, KDOT will work with the authorized transit provider to define a signing plan for the authorized locations to inform drivers of buses on shoulder operations.

Thank you for the opportunity to testify in support of House Bill 2561. I would be happy to stand for questions at the appropriate time.

House Transportation
Date: 2-4-10
Attachment # 9