

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 8:37 a.m. on February 10, 2010, in Room 152-S of the Capitol.

All members were present except:

Senator Anthony Hensley- excused

Committee staff present:

Bruce Kinzie, Office of the Revisor of Statutes
Daniel Yoza, Office of the Revisor of Statutes
Julian Efird, Kansas Legislative Research Department
Jill Shelley, Kansas Legislative Research Department
Cindy Shepard, Committee Assistant

Conferees appearing before the Committee:

Mike Petersen, Senator, State of Kansas
Suzanne Wikle, Director of Health Policy, Kansas Action for Kids

Others attending:

See attached list.

Chairman Umbarger called attention to the introduction of a resolution relating to **SB 295 - Blind and visually impaired persons, establishing the motor vehicle and safe mobility committee.**

Senator Petersen moved, Senator Kultala seconded to introduce the resolution. Motion carried.

The Chairman opened the hearing on **SB 484 - Driver's licenses; restrictions and conditions.** Bruce Kinzie, staff revisor, reviewed the bill.

Mike Petersen, Senator, State of Kansas, testified as a proponent, stating it is a clarification to the graduated driver's license bill passed last year. **SB 484** allows permitted drivers, who are allowed to drive to and from school and work, drive to an organized religious activity. Additionally, it permits an instructor or parent to ride on the same motorcycle when teaching a student to ride. The measure passed last year only allowed the instructor to be on a separate motorcycle riding in close proximity (Attachment 1).

Written testimony in support of **SB 484** was submitted by:

Kelly Arnold, Youth Sponsor, Westlink Christian Church (Attachment 2)

Suzanne Wikle, Director of Health Policy, Kansas Action for Kids spoke in opposition to **SB 484**. She indicated that they are especially concerned about the changes it makes to teen drivers under age 16, those 15 year-olds holding a restricted license and teens holding a farm permit. The current policy for 15 year-olds has been in place for nearly two decades. She continued that if it is the Committee's pleasure to allow passage of **SB 484**, Kansas Action for Children asks that the exception that allows driving to and from "any religious service or function" apply only to 16 year-olds (Attachment 3).

Written testimony in opposition to **SB 484** was submitted by:

Jim Hanni, Executive Vice President of Public Affairs, AAA of Kansas (Attachment 4)
Cheri Sage, State Director, Safe Kids Kansas (Attachment 5)

Written testimony neutral to **SB 484** was submitted by:

Pete Bodyk, Manager Traffic Safety, Kansas Department of Transportation (Attachment 6)

The Committee voiced concerns about changing 14 and 15 year-olds driving restrictions, that this could be a potential loophole for kids to take advantage. Senator Petersen indicated that he was open to changes, and would work with the Committee on the adjustments.

There being no further conferees, the hearing on **484** was closed.

CONTINUATION SHEET

Minutes of the Senate Transportation Committee at 8:37 a.m. on February 10, 2010, in Room 152-S of the Capitol.

Chairman Umbarger called for final action on **SB 367 - Regulating traffic; enforcement of helmet law for motorcycles.**

Bruce Kinzie, staff revisor, reviewed **SB 367** and proposed amendments requiring persons under the age of 18 to wear an eye-protective device. He noted that it only applies to motorcycles, not motorized bicycles (Attachment 7).

Senator Petersen moved, Senator Marshall seconded, to amend SB 367 as reflected in the balloon proposed amendment. Motion carried.

Senator Petersen moved, Senator Donovan seconded, to recommend SB 367, as amended, favorably for passage. Motion carried.

The Chairman called for final action on **SB 408 - County treasurers, additional locations for vehicle registrations.**

Senator Kultala proposed a balloon amendment that if motor vehicle registrations were not done at the primary place of business, an alternate location would be designated as a primary registration facility and would not charge an extra fee at that location (Attachment 8).

Senator Kultala moved, Senator Huntington seconded, to amend SB 408 as reflected in the proposed balloon amendment. Motion carried.

Senator Kultala moved, Senator Huntington seconded, to recommend SB 408, as amended, favorably for passage. Motion carried.

The Chairman called for final action on **SB 483 - Primary seat belt law.**

Senator Schmidt moved, Senator Kultala seconded, to recommend SB 483 favorably for passage. Motion carried.

The meeting was adjourned at 9:15 a.m. The next meeting is scheduled for February 11, 2010.

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COMMITTEES
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MEMBER: LOCAL GOVERNMENT
TRANSPORTATION
JOINT COMMITTEE ON
INFORMATION TECHNOLOGY

SENATOR MIKE PETERSEN

February 9, 2010

SB 484

Chairman Umbarger and Members of the Committee

SB 484 is a clarification to the graduated driver's license bill we passed last year. The provisions contained therein were not offered last session. After discussions with the proponents of the GDL and hearing their concerns that the bill might have trouble making it through the other chamber, I was convinced not to offer an amendment which is the subject of SB 484.

This bill allows permitted drivers who were allowed to drive to school and work last year to drive to an organized religious activity. In addition, it permits an instructor or parent to ride on the same motorcycle or one in close proximity, when teaching a student to ride. The measure we passed last year only allowed the instructor to be on a separate motorcycle riding in close proximity.

Thank you for your consideration.

Senator Mike Petersen

A handwritten signature in black ink that reads "Mike Petersen". The signature is written in a cursive, flowing style.

Senate Transportation

2-10-10
Attachment 1

SB 484

February 8, 2010

Senator Umbarger and Committee Members,

I write today to express my strong support for Senate Bill 484. Six years ago I got involved with High School Ministries at Westlink Christian Church. As an Adult leader I spend a great deal of time each week with students. I have a strong passion to help young students get connected with positive activities that will help develop a good structure in their lives.

Our church invests many valuable resources into our students each year. We offer an array of activities during the week to give high school students a safe, structured place to enjoy life with each other. On Sundays we have regular services in the morning and in the afternoons we open our activities center up so they can play ball, enjoy games or order coffee from the café. On Mondays the church is available for the same activities and also to offer a quiet place for students to study and use computers. Small groups are held at Adult leaders private homes through the week, offering our 450 students a more individualized setting to study and learn.

When the legislature passed the current driving law that went into effect January 1, it created a barrier to our students' ability to attend activities. Many of the students will now have to wait until they are much older before they can drive to a weekly small group. Some older students have assisted in carpools in the past, picking up friends to bring them to church or small group, but the new limitation on passengers has decreased attendance, keeping kids away from the positive influence a church group can provide. I would like to believe that parents would pick up and drive their kids to church or small group to help fill the gap that was created by the new law but that has not been the case. Many parents work or have conflicts and cannot drive their kids to events. Others unfortunately don't have the interest or ability to shuttle their kids from place to place.

I ask you to support Senate Bill 484. It is important that we remove barriers for our youth so they can attend positive activities in a safe environment that will help them grow into mature young adults. It's important that they have every opportunity to attend church on Saturdays, Sundays and small groups at private homes during the week.

Kelly Arnold
Youth Sponsor
Westlink Christian Church

Senate Transportation

2-10-10

Attachment 2

To: Senate Transportation
From: Suzanne Wikle, Director of Health Policy
Re: SB 484

Good morning Chairman Umbarger and members of the committee. Thank you for this opportunity to provide my concerns about SB 484.

Last year this committee worked very hard to pass a comprehensive Graduated Drivers License policy that addressed the three greatest risks to teen driving: inexperience, multiple passengers, and late-night driving. The policy that passed was a collaborative effort by policymakers, the insurance industry, law enforcement, KDOT, and advocacy organizations.

Kansas Action for Children opposes SB 484 because it undermines some of the good work that was done last year. Although Kansas Action for Children opposes each change in SB 484, we are especially concerned about the changes it makes to teen drivers *under age 16*, those 15 year-olds holding a restricted license and teens holding a farm permit.

The GDL law of 2009 did **not** alter the driving privileges of 15 year-olds – prior to the GDL law and currently today, 15 year-olds that choose to complete the requirements for a restricted license have the privilege to drive to and from work and school only. Senate Bill 484 would expand these privileges to include travel to and from religious services and functions.

The current policy for 15 year-olds has been in place for nearly two decades. Expanding driving privileges for 15 year-olds and teens with farm permits would be a step backwards and cause increased vulnerability to the risks facing teen drivers. The current law for 15 year-olds has been sound policy for nearly twenty years and Kansas Action for Children believe it should remain in tact.

If it is the committee's pleasure to allow the passage of SB 484, Kansas Action for Children asks that the exception that allows driving to and from "any religious service or function" apply *only* to 16 year-olds who are within the six month restrictions on passengers and late-night driving.

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A Member
for Ameri

Senate Transportation

2-10-10

Attachment 3



TESTIMONY, SB 484
Presented by James R. Hanni,
Executive Vice President, AAA Kansas
February 10, 2010
Senate Transportation Committee

AAA opposes exceptions to restrictions provided for in the recently enacted graduated driver licensing (GDL) systems and therefore opposes the addition of another exception in the restricted license and farm permit for driving to and from religious activities.

A strong majority of elected officials helped to enact improvements in our GDL system during the last legislative session. The bill provided for a few key changes to substantially improve the likelihood that young drivers in Kansas will avoid many crashes, injuries and fatalities in the years ahead.

It is premature to add any additional exceptions until we know how the current new law is working. Because of last year's grandfathered improvements in the system, it won't be possible to gauge the true effects of the changes until starting next year, with early results possibly in 2012.

Exceptions/exemptions of any kind contribute to more risk for inexperienced drivers and more crashes, injuries and fatalities. On top of that, the language for the religious activities exemption is too vague. A teen driver could contend they were driving home at 11 p.m. after bible study at a buddy's house and qualify under the exemption.

We also think it is important to remember that the law did not include an exemption for religious activities prior to passage of the GDL law, so nothing was taken away with the law passed last year.

Exemptions/exceptions are a bad idea for any GDL system, those already in law and those contemplated, and we ask the Transportation Committee to avoid this unnecessary language as a measure of safety for young drivers and to minimize confusion for parents and teens.



Preventing accidental injury.

February 10, 2010

**Testimony Presented to the
Senate Committee on Transportation
Senate Bill 484**

Safe Kids Kansas opposes the amendment in SB 484, which allows teens to drive unsupervised to and from religious services or functions.

Motor vehicle crashes remain the leading cause of death for Kansas children ages one through 17. These crashes do not only kill the teen drivers, but passengers, pedestrians, and people in other vehicles. In Kansas, between the years 2003 and 2007, 28 children ages 14 and under were killed as passengers with a teen driver (age 14-19) at the wheel. During the same period, 1,497 children ages 14 and under were non-fatally injured in vehicle crashes where a teen was driving.

During the critical learning period before a teen receives their full unrestricted license, Safe Kids Kansas opposes additional unsupervised driving time for these novice drivers.

Attachment:

Safe Kids Kansas Member Organizations

Safe Kids Kansas, Inc. is a nonprofit Coalition of over 70 statewide organizations and businesses dedicated to preventing accidental injuries to Kansas children ages 0-14. Local coalitions and chapters cover Allen, Anderson, Atchison, Butler, Clay, Coffey, Dickinson, Doniphan, Douglas, Elk, Ellis, Finney, Geary, Harvey, Jackson, Jefferson, Johnson, Labette, Leavenworth, Marion, Marshall, McPherson, Meade, Mitchell, Montgomery, Pottawatomie, Riley, Saline, Sedgwick, Shawnee, Smith, Sumner, and Wilson counties, as well as the city of Emporia and the Metro Kansas City Area (Wyandotte county and several Missouri counties.) Safe Kids Kansas a member of Safe Kids Worldwide, a global network of organizations whose mission is to prevent accidental childhood injury. The lead agency for Safe Kids Kansas is the Kansas Department of Health and Environment.

1000 SW Jackson Suite 230 Topeka, KS 66612 tel 785-296-1223 fax 785-296-8645
www.safekids.org www.safekidskansas.org

Senate Transportation
2-10-10
Attachment 5



Safe Kids Kansas Member Organizations

AAA Kansas
American Academy of Pediatrics – KS
Board of Emergency Medical Services
Brain Injury Association of Kansas
Children’s Mercy Hospital
Child Care Providers Together of Kansas
Cusick Jost Consulting, LLC
Dillon Stores
Fire and Burn Safety Alliance of S Central Kansas
Fire Education Association of Kansas
Fire Marshal’s Association of Kansas
Head Start State Collaboration Office/SRS
Huggable Images
HCC Fire Service Training Program
Kansas Academy of Family Practice Physicians
Kansas Action for Children
Kansas Association for Counties
Kansas Association of Local Health Departments
Kansas Association of Osteopathic Medicine
Kansas Association of School Boards
Kansas Chapter International Association
of Arson Investigators
Kansas Children’s Cabinet & Trust Fund
Kansas Chiropractic Association
Kansas Cooperative Extension 4-H
Kansas Dental Association
Kansas Department Health & Environment
Kansas Department of Human Resources
Kansas Department of Transportation
Kansas Department of Wildlife and Parks
Kansas District of Kiwanis International
Kansas EMS Association
Kansas Emergency Nurses Association
Kansas Farm Bureau
Kansas Healthy Start Home Visitors
Kansas Highway Patrol
Kansas Hospital Association
Kansas Insurance Department
Kansas MADD
Kansas Medical Society
Kansas Motor Carriers Association
Kansas Operation Lifesaver
Kansas Parent Teachers Association

Kansas Poison Control Center
Kansas Public Health Association
Kansas Recreation & Park Association
Kansas Safe Routes to School Program
Kansas SADD
Kansas Safety Belt Education Office
Kansas School Nurses Organization
Kansas State Association of Fire Chiefs
Kansas State Board of Education
Kansas State Child Death Review Board
Kansas State Fire Marshal’s Office
Kansas State Firefighters Association
Kansas State Nurses Association
Kansas Trial Lawyers Association
Kansas Trauma Program
KIDS AND CARS
KNEA
KUMC Burn Center
KUMC Emergency Services
KUMC Trauma Program
NHTSA Regional Office
Office of the Governor
Safety & Health Council Western MO & KS
SIDS Network of Kansas
State Capitol Area Fire Fighters Association
State Farm Insurance Companies
Stormont-Vail Regional Medical Center
United School Administrators of Kansas
Via Christi – St. Francis Burn Center
Via Christi – Trauma Center
Wesley Medical Center

Membership also includes Local Coalitions and Chapters located in Allen, Anderson, Atchison, Clay, Dickinson, Doniphan, Douglas, Elk, Ellis, Ford, Franklin, Geary, Jackson, Jefferson, Johnson, Leavenworth, Marion, Meade, Mitchell, Montgomery, Osage, Pottawatomie, Rice, Riley, Saline, Shawnee, Smith, Wabaunsee, Wilson and Woodson Counties, as well as the cities of Chanute, Emporia, Leavenworth, Pittsburg, Wichita Area and Metro Kansas City.

Safe Kids is a member of Safe Kids Worldwide.

12-09

**TESTIMONY BEFORE THE
SENATE TRANSPORTATION COMMITTEE**

**REGARDING SENATE BILL 484
RELATING TO EXCEPTIONS TO DRIVING RESTRICTIONS**

February 10, 2010

Mr. Chairman and Committee Members:

The Kansas Department of Transportation appreciates the opportunity to provide written testimony on Senate Bill 484, which would add an exception to the driving restrictions for teens holding a farm permit or restricted license.

The passage of the graduated driver's license system last year was an important step to improve the safety of teen drivers. In 2008, **51 people died due to crashes involving Kansas driver's ages 14 through 19.** And another 5,800 people were injured. Although they make up only seven percent of licensed drivers, young novice drivers are over-represented in crashes. They are involved in 13.5 percent of fatal crashes, and 23 percent of all crashes. Traffic crashes are the number one killer of Kansans under 35 and any actions we can take to reduce the number of fatalities is important.

Our concern with the exemption proposed in Senate Bill 484 is that it weakens the efforts we've made in the last year to improve safety. The reason for passing a more comprehensive graduated driver's license system was to allow teens more time to gain driving experience with adult supervision and without distractions, such as cell phones and having too many other young people in the car with them. It doesn't matter where the young person is driving to or from; sports practice, piano lessons, grandmother's house, church, etc., the issue is immaturity and inexperience on the road. However, if we allow this exemption to be made for young drivers it opens the door to more exemptions to be made, which increases the risks of accidents for everyone on the road. The more exemptions we have, the less likely teen drivers are to develop the experience and maturity necessary to become responsible drivers.

There may be some confusion that the changes passed last year in HB 2143 (the Graduated Driver's License Bill) led to teens on restricted licenses or with farm permits being prohibited from driving unsupervised to religious services or functions. Teens driving on a restricted license or farm permit have never been allowed to drive unsupervised to religious services or functions.

Another issue we have a concern with is the vagueness of the statement "*while going directly to or from any religious service or function.*" This seems very broad, and raises the question of what constitutes a religious function. There will be issues with law enforcement verifying someone is in fact going to or from a religious function. This could lead to a lack of enforcement of restrictions, which could lead to more crashes involving teens who are violating restrictions.

Thank you for the opportunity to submit testimony on Senate Bill 484.

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Senate Transportation

2-10-10

Attachment 6

SENATE BILL No. 367

By Committee on Judiciary

1-14

Proposed Amendments to SB No. 367
Prepared by: Bruce Kinzie -- Office of Revisor of Statutes

9 AN ACT regulating traffic; concerning the operation of motorcycles and
10 motorized bicycles; amending K.S.A. 8-1598 and repealing the existing
11 section.

12
13 Be it enacted by the Legislature of the State of Kansas:

14 Section 1. K.S.A. 8-1598 is hereby amended to read as follows: 8-
15 1598. (a) No person under the age of 18 years shall operate or ride upon
16 a motorcycle or a motorized bicycle, unless wearing a helmet which complies
17 with minimum guidelines established by the national highway traffic
18 safety administration pursuant to the national traffic and motor vehicle
19 safety act of 1966 for helmets designed for use by motorcyclists and other
20 motor vehicle users.

21 (b) No person shall allow or permit any person under the age of 18
22 years to operate a motorcycle or motorized bicycle or to ride as a passen-
23 ger upon a motorcycle or motorized bicycle without being in compliance
24 with the provisions of subsection (a).

25 (c) No person shall operate a motorcycle unless such person is
26 wearing an eye-protective device which shall consist of protective glasses,
27 goggles or transparent face shields which are shatter proof and impact
28 resistant, except when the motorcycle is equipped with a windscreen
29 which has a minimum height of 10 inches measured from the center of
30 the handlebars.

31 (d) This section shall not apply to persons riding within an en-
32 closed cab or on a golf cart, nor shall it apply to any person operating or
33 riding any industrial or cargo-type vehicle having three wheels and com-
34 monly known as a truckster.

35 Sec. 2. K.S.A. 8-1598 is hereby repealed.

36 Sec. 3. This act shall take effect and be in force from and after its
37 publication in the statute book.

: (1) Operate

(1)

; or (2) operate a motorcycle or to ride as a passenger upon a motorcycle without being in compliance with the provisions of subsection (c)

(2) No person under the age of 18 years shall ride as a passenger on a motorcycle unless such person is wearing an eye-protective device which shall consist of protective glasses, goggles or transparent face shields which are shatter proof and impact resistant.

SENATE BILL No. 408

By Committee on Transportation

1-21

9 AN ACT relating to vehicles; concerning the registration thereof; amend-
10 ing K.S.A. 2009 Supp. 8-145d and repealing the existing section.

11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 2009 Supp. 8-145d is hereby amended to read as
14 follows: 8-145d. In addition to the annual vehicle registration fees pre-
15 scribed by K.S.A. 8-143, 8-143b, 8-143c, 8-143g, 8-143h, 8-143i, 8-167,
16 8-172 and 8-195, and amendments thereto, and K.S.A. 2009 Supp. 8-
17 143l, and amendments thereto, any applicant for vehicle registration or
18 renewal thereof for registration shall pay a service fee in the amount of
19 \$5 to the county treasurer at the time of making such application. In
20 addition to such service fee, the county treasurer may charge any appli-
21 cant for vehicle registration or renewal thereof for registration, a ~~satellite~~
22 registration fee in an amount not to exceed \$5 per vehicle registration or
23 renewal thereof for registration, when such application is made at a ~~sat-~~
24 ~~ellite~~ registration facility *in a county with multiple vehicle registration*
25 *facilities as established by the county treasurer. Such registration fee shall*
26 *not be charged at a registration facility located within the county court-*
27 *house or administrative office used as the primary location for the county*
28 *treasurer's operations. The county treasurer shall deposit all amounts re-*
29 *ceived under this section in the special fund created pursuant to K.S.A.*
30 *8-145, and amendments thereto, and such amounts shall be used by the*
31 *county treasurer for all purposes for which such fund has been appro-*
32 *priated by law, and such additional amounts are hereby appropriated as*
33 *other amounts deposited in such fund.*

34 Sec. 2. K.S.A. 2009 Supp. 8-145d is hereby repealed.

35 Sec. 3. This act shall take effect and be in force from and after its
36 publication in the statute book.

and if a registration facility is not located within such
courthouse or such administrative office, then at least one of
the registration facilities established by the county treasurer
shall not charge such registration fee