

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 8:30 a.m. on February 24, 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:

Janlyn Nesbett-Tucker, CEO, Topeka Metropolitan Transit Authority
R.E. "Tuck" Duncan, Executive Director, Kansas Public Transit Association
James S. Daniel, Vice Chair, Topeka Metropolitan Transit Authority
Terri Heidner, Legislative Liaison, Kansas Department of Transportation
Karen Hiller, Councilwoman, City of Topeka

Others attending:

See attached list.

The Chairman opened the hearing on **SB 544 - Metropolitan transit authority, definition of metropolitan area**. Bruce Kinzie, staff revisor, reviewed the bill.

Janlyn Nesbett-Tucker, CEO, Topeka Metropolitan Transit Authority offered testimony in support of **SB 544**. She stated that Topeka Transit is the state's only metropolitan transit authority. The Metropolitan Transit Authority Act passed by the 1955 legislature, defined a "metropolitan area" as the city limits, of any first-class city more than 120,000 in population, plus three miles. In 1984 the Metropolitan Transit Authority Act was changed to define a "metropolitan area" as the City of Topeka, exclusively, leaving Topeka with the sole metropolitan authority in the State.

She continued that today, in our Capitol city, public demand for transit service between cities requires exploring options of providing services to neighboring communities like Lawrence and Manhattan. An expanded service area would enable Topeka Transit to meet federal service benchmarks and fit with the Kansas Department of Transportation's desire to fund transit services on a more regional basis. At this time, the service boundary prohibits the ability to establish regional commuter services (Attachment 1).

R.E. "Tuck" Duncan, Executive Director, Kansas Public Transit Association appeared as a proponent, stating currently the "metropolitan area" includes the area within the corporate limits of the City of Topeka and an area having a radius within three miles outside the corporate limits. **SB 544** would increase the outer boundary from the corporate limits to 90 miles. He indicated that this bill is consistent with the future regional mobility management approach to public transportation. Included with Mr. Duncan's testimony is an overview of public transit in Kansas (Attachment 2).

James S. Daniel, Vice Chair, Topeka Metropolitan Transit Authority testified in favor of **SB 544**. The bill under consideration expands the limits of our service area to permit Topeka Transit to operate regularly scheduled service to other communities in Kansas, depending on the demand and source of revenue. He stated that the bill does not contemplate charter or one-time service (Attachment 3).

Terri Heidner, Legislative Liaison, Kansas Department of Transportation (KDOT), provided testimony in support of **SB 544**. Extending the radius to 90 miles will allow the Topeka Metropolitan Transit Authority to operate van pools and other commuter services that could be very successful in the region (Attachment 4).

Karen Hiller, Councilwoman, City of Topeka spoke in favor of **SB 544**. She indicated that the City of Topeka supports extending the service area boundary. This support for our local transit system has been adopted into

CONTINUATION SHEET

Minutes of the Senate Transportation Committee at 8:30 a.m. on February 24, 2010, in Room 152-S of the Capitol.

the City's Legislative Agenda and we are in agreement that expanding the opportunities for service are more vital now than ever before (Attachment 5).

Discussion followed with concerns about state funding formulas, and changes to allocations if Topeka Transit's area is expanded. KDOT responded that a new formula based on population, rider-ship and milage will be used when the new transportation plan is in place.

Chairman Umbarger announced the bill would be worked at a later date to allow questions raised to be addressed.

There being no further conferees, the hearing on **SB 544** was closed.

The meeting was adjourned at 9:28 a.m. The next meeting is scheduled for February 25, 2010.

SENATE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 2/24/10

NAME	REPRESENTING
Janlyn Negbett-Tucker	Topeka Metro Transit Auth
Jim Daniel	Topeka Metro Transit Authority
Karen Hiller	City of Topeka
MARK BORANYAK	CAPITOL STRATEGIES
Wick Duncan	KS PUBLIC TRANSIT ASSN
Whitby James	City of Topeka
Terry Heidner	KDOT
Spencer Duncan	Capitol Connection



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Appearing in support of SB 544 - Metropolitan Transit Authority

Kansas Senate Transportation Committee
Wednesday, February 24, 2010

- Janlyn Nesbett-Tucker, Chief Executive Officer, Topeka
Metropolitan Transit Authority, Topeka, Kansas

Good morning,

Chairman Umbarger and Senate Transportation Committee Members, I am Janlyn Nesbett-Tucker. For almost 6 years I have been the CEO of the Topeka Metropolitan Transit Authority. On behalf of the Transit Authority, I offer my testimony in support of Senate Bill 544.

Topeka Transit is the state's only metropolitan transit authority. We operate 51 fixed-route and paratransit buses. We employ just under 100 people and deliver approximately 6,000 trips a day.

The Metropolitan Transit Authority Act was initially passed 55 years ago by the 1955 legislature. L. 1955, ch. 118. That enactment defined a "metropolitan area" as the city limits of any first-class city over 120,000 plus three miles. In 1955, a service area of the city limits plus three miles made perfect sense. At that time, traveling between Topeka and Kansas City constituted a "trip." Now that same trip has become a daily commute for hundreds if not thousands of people. This is indicative of the modern trend of community public transit needs

In 1984 the Metropolitan Transit Authority Act was changed to define a metropolitan area as the city of Topeka, exclusively, leaving Topeka with the sole metropolitan authority in the State. The reason we wish to expand our service boundary is so that we, like all other Kansas transit providers, have the opportunity to offer transit service when the time is right, demand is there, and funding allows.

Senate Transportation

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Attachment 1

SB 544 - Topeka Metropolitan Authority Act
Testimony of Janlyn Nesbett-Senate Transportation Committee
February 24, 2010
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One recent example of an extremely successful transit service is the K-10 Connector. Johnson County carries as many people on its K-10 Connector service between Kansas City and Lawrence as it does on all its other routes combined.

Today in our capitol city, public demand for transit service between cities requires us to explore options of providing service to neighboring communities like Lawrence and Manhattan. At this time, however, our service boundary prohibits it.

An expanded service area would enable Topeka Transit to meet federal service benchmarks which would open the door to new, additional sources of funding. As a member of the Kansas Public Transit Association, we have a close relationship with our peer transit agencies and we would engage in interlocal cooperation and teamwork before initiating any new service projects.

Finally, expansion of our service boundaries fits with the desire of the Kansas Department of Transportation to fund transit services on a more regional basis - which is also included in the T-link recommendations as part of the new multi-year state highway plan. The current language limits the ability of our metropolitan transit authority in establishing regional commuter services.

I am eager for Topeka Transit to have the same opportunities as other Kansas transit providers to operate service outside the limits of the city. As you will hear today from other supporters of SB 544, expanding opportunities for service is more vital now than ever before.

I thank you for your time and ask that you report Senate Bill 544 favorably out of committee.

Thank you.

Janlyn Nesbett-Tucker
CEO/General Manager
Topeka Metropolitan Transit Authority
201 North Kansas Avenue
Topeka, Kansas 66603
785/233-2011 X101



To: Senate Committee on Transportation
From: R.E. "Tuck" Duncan, Executive Director
Kansas Public Transit Association
RE: SB 544

February 24, 2010

The Kansas Public Transit Association supports SB 544.

SB 544 would amend the Metropolitan Transit Authority Act. The current definition of a "metropolitan area" includes the area within the corporate limits of the City of Topeka and includes the area having a radius within three miles outside the corporate limits. SB 544 would increase the outer boundary from the corporate limits from three miles to 90 miles. We understand that the Kansas Department of Transportation states passage of SB 544 would have no fiscal effect to agency operations and that The League of Kansas Municipalities indicates the fiscal effect of the bill on cities would be negligible.

Enactment of SB544 is consistent with the effort to institute a regional approach to transit in Kansas. For example: Secretary of Transportation Ray LaHood visited Kansas City last week to announce \$1.5 billion in TIGER (Transportation Investment Generating Economic Recovery) grants, including \$50 million for the Kansas City region. The grants are funded by federal stimulus dollars as part of the American Recovery and Reinvestment Act. **Investments in regional transit corridors** — including the U.S. 24 and U.S. 40 corridors in eastern Jackson County; the North Oak corridor north of the Missouri River; the State Avenue corridor in Kansas City, Kan.; and the Metcalf/Shawnee Mission Parkway corridor in Johnson County. TIGER funds will support transit infrastructure improvements, including additional transit centers, better pedestrian access to transit facilities, bus stop improvements, and traffic signal priority for buses.

The recent T-LINK Report, (Transportation- Leveraging Investments in Kansas), recommended to: "Create a regional transit approach to expand and improve delivery of rural transit service..." T-LINK concluded that aspects of a regional approach could include: "... [T]he development of 10 to 12 transit jurisdictions using a substantial public involvement process. • Each jurisdiction would have a lead agency, funded by the state, which would be required to meet a specific level of service or could use subcontractors... • Lead agencies would be required to use advanced technologies and "One-Call" dispatching, which would enhance scheduling efficiencies and help users find service more easily."

Currently Kansas has contracted with Medical Transportation Management to coordinate Kansas' medical transportation providers and as such provide a comprehensive transportation provider network on a state and regional approach to meet the needs of Medicaid patients. It's a one-call service. SB 544 is consistent with the future regional mobility management approach to public transportation. For additional information see the attached Overview of Public Transit in Kansas. *Thank you for your attention to and consideration of these matters.*



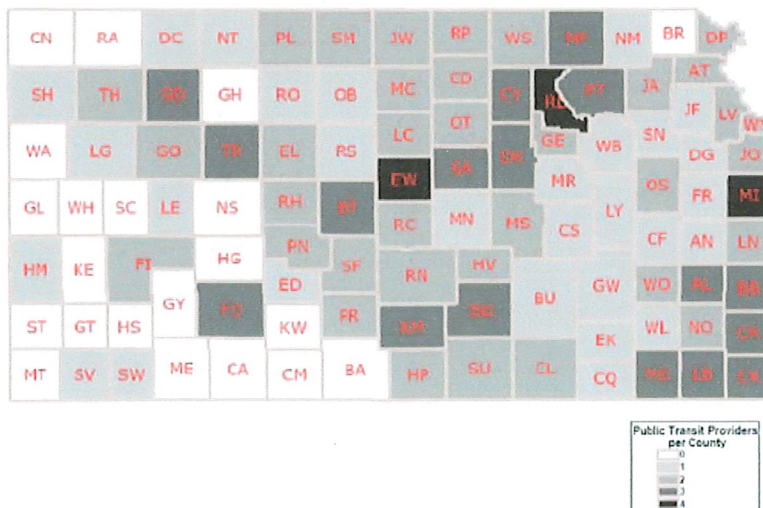
Overview of Public Transit in Kansas For the Senate Transportation Committee

R.E. "Tuck" Duncan, Executive Director
Kansas Public Transit Association

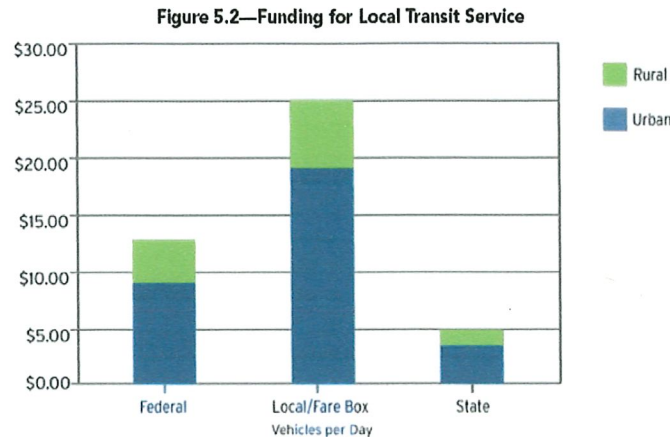
In sparsely populated rural Kansas, about 180 small transit operators provide a patchwork of mostly public on-demand and client-specific transit service spread over a wide geographic area. In more densely populated urban areas of the state, five large transit operators offer scheduled bus service along fixed routes. Transit in Kansas provides important economic, health, and social benefits by giving citizens without regular access to a personal vehicle a way to get to work or to make important personal trips and to maintain their independence. In urban areas of the state, buses help alleviate traffic congestion and reduce air pollutant emissions.

Most rural and urban transit agencies in Kansas are struggling to manage rapidly increasing costs driven by growing ridership, higher fuel costs, need for new vehicles, demand for longer hours of service, wider coverage areas, and demand for shorter waiting times between buses on fixed routes. Increases in federal, state, and local funding for transit have not kept pace with cost increases. Over the last eight years, transit ridership in urban and rural Kansas has grown by 48 percent. Long term trends driving ridership growth include an aging population that is more reliant on transit for basic transportation needs such as access to health care and other necessities and the cost-effectiveness of transit compared to driving.

The following map depicts the number of General Public Transportation providers offering significant public transit services, such as trips with both origins and destinations in a county. Specialized transit providers for the elderly or disabled are not included. Some of the counties that have no significant services on the map might have some service (often destinations) but not enough to show that significant services are offered within the county. Many counties in western Kansas have no significant public transit service. Source: T-LINK Report, January, 2009



For instance, the need to get people to work was cited in southeast Kansas and the need to transport patients to health care was noted in western Kansas. Under the current Comprehensive Transportation Plan, the state provides \$3.5 million per year for urban transit and \$2.5 million per year for rural transit. Additional funding for transit comes from fare box revenue, and federal and local funding sources. (Source: Kansas Department of Transportation, T-LINK)



Public transit provides access to job opportunities for millions of Americans as well as transportation options to get to work and school, shop, visit friends or go to a doctors office. In 2008, Americans took over 10.5 billion trips on public transit – the highest ridership levels in 50 years. Every \$1 invested in public transportation projects generates approximately \$6 in local economic activity. Every \$10 million in operating investment in public transportation yields \$32 million in increased business sales. Every \$10 million in capital investment in public transportation yields \$30 million in increased business sales.

Transit is uniquely positioned to provide the United States with the opportunity to support sustainability efforts, through environmental benefits and energy savings. Public transit eases family budgets, supports safe pedestrian and biking alternatives, enables new development, and helps maintain clean air. As transit agencies restore and replace our existing capital equipment, as well as explore innovative technology and projects that will propel us far ahead of competing services, we constantly work to support our local citizens’ desire for change and choice. Supporting public transit is not only financially responsible, but will help our state as a whole by addressing the mounting needs of the aging baby-boomers as they approach their golden years. It also will put in place a framework for solving a key and mounting problem our hard working families are facing – dealing with increasing transportation-related costs.

What saves 4 million gallons of gas daily, provides access to jobs for thousands of Kansans, reduces greenhouse gases, is an option to get to work, school, a doctor’s office, revitalizes neighborhoods, enhances growth, and saves you money? Public Transit, of course. Public transit fosters a healthy lifestyle. Kansas public transit provides over 10 million rides a year. Whether public transit is a medical lifeline, a means to work or a green alternative, public transit is a lifestyle for thousands of Kansans.

For further information and links to transit related sites go to: www.kstransit.org

Selected Examples of current Kansas Transit Options



K-10 connector service connects Johnson County (and the JCCC) with Lawrence. (left) JoCo buses below.



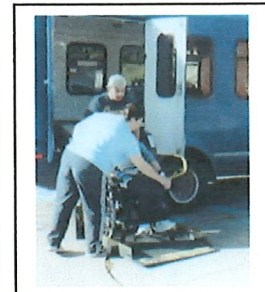
Topeka Transit is experiencing significant growth. (right) Finney County Transit offers fixed route service (below). Also Finney County has completed a new transit center (below)



Salina, Kansas initiated its City Go fixed route service in 2008. *Now you can "Go Green."*



Para-transit services offered by Sunflower Diversified Services Great Bend, Kansas (right) and by Developmental Services of NW Kansas in Hays, (far right).





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Testimony in support of Senate Bill 544

AN ACT concerning the metropolitan transit authority act

Kansas Senate Transportation Committee

Wednesday, February 24, 2010

Appearing in support of SB 544

– James S. Daniel, Vice Chair, Topeka Metropolitan Transit Authority

Good morning,

Senator Umbarger, Committee Members, I am Jim Daniel, Vice Chair of the Topeka Metropolitan Transit Authority and I appear in support of SB 544.

I have been a TMTA board member from 1989 -2000 and then again from 2007 to the present. I worked at Topeka Transit from 1975 – 1983 and I have a long-standing understanding of public transportation in Topeka and in Kansas.

The Kansas statutes that created the TMTA were written with a limit of service of three miles beyond the boundary of the city limits. I am unaware of any reason for this other than the 3-mile urbanized limit for metropolitan planning commissions.

The TMTA does not permit regular route service beyond the limits of the city of Topeka, based on the significant property tax support by Topeka residents. We have permitted the demand/response service, that we call the LIFT, to operate outside the limits of the city from time-to-time; however, not beyond the 3-mile limit.

The bill under consideration expands the limits of our service area to permit Topeka Transit to operate regularly scheduled service to other communities in Kansas. This would permit “commuter-type” services to other communities, depending on the demand and the source of revenue.

The TMTA may be called upon in the future by a state agency or another governmental unit to provide service outside the limits defined by the Kansas statutes.

This bill does not contemplate charter or one-time bus service. This bill does not change the federal regulations requiring the TMTA to offer all charter activity to private bus operators.

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Attachment 3

SB 544 – Topeka Metropolitan Transit Authority Act
Testimony of James S. Daniel – Senate Transportation Committee
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As a TMTA Board member, I can say it is not my intent to operate regularly scheduled services outside the limits of the city of Topeka, unless there is an overriding public good to be obtained by offering a new service.

In conclusion, I support the legislation your committee has under consideration.

Thank you, and I stand for questions.

**TESTIMONY BEFORE
SENATE TRANSPORTATION COMMITTEE**

**REGARDING SENATE BILL 544
RELATED TO THE METROPOLITAN TRANSIT AUTHORITY ACT**

February 24, 2010

Mr. Chairman and Committee Members:

I am Terry Heidner, Legislative Liaison for the Kansas Department of Transportation (KDOT). My testimony today will describe KDOT's support of Senate Bill 544.

KDOT is supportive of Senate Bill 544 because it will allow the Topeka Metropolitan Transit Authority more flexibility in providing transit services to those who live and work in Topeka. Currently, the Transit Authority Act only allows Topeka Metropolitan Transit Authority buses to service the area within a three mile radius of Topeka. This limitation makes it challenging for the Topeka Metropolitan Transit Authority to meet the commuter needs of those working in Topeka. Extending the radius to 90 miles will allow the Topeka Metropolitan Transit Authority to operate vanpools and other commuter services that could be very successful in the region.

Thank you for the opportunity to testify in support of Senate Bill 544. I would be happy to stand for questions at the appropriate time.

Appearing in support of SB 544 - Metropolitan Transit Authority

February 24, 2010

- Karen Hiller, Councilwoman, Topeka

Good morning,

Chairman Umbarger and Senate Transportation Committee Members, I am Karen Hiller, Councilwoman for the City of Topeka. On behalf of the City of Topeka, I offer my testimony in support of Senate Bill 544.

Just last year we challenged the Topeka Metropolitan Transit Authority to think big and offer service to follow.

Part of this challenge includes their ability to take advantage of opportunities that could be identified such as commuter routes and vanpools. We are eager for Topeka Transit to have the same opportunities as other Kansas transit systems to operate service outside the limits of the city.

I speak for the City of Topeka when I say that we as a City support extending the service area boundary. This support for our local transit system has been adopted into our City's Legislative Agenda and we are all in agreement that expanding the opportunities for service are more vital now than ever before.

I ask that you, too, support Senate Bill 544.

Thank you.

Karen Hiller
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Topeka City Council
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Topeka, Kansas 66603
(785) 368-3710

Senate Transportation

2-24-10

Attachment 5