

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 8:30 a.m. on March 9, 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:

Carmen Alldritt, Director, Division of Vehicles, Kansas Department of Revenue
Jo Ann Pottorff, Representative, State of Kansas
Lindsay Douglas, Legislative Liaison, Kansas Department of Transportation
Mary Ellen Conlee, Lobbyist, Northern Flyer Alliance
Alice M. Amrein, Transportation Director, Johnson County, Kansas
Lisa Koch, Public Transit Manager, Kansas Department of Transportation
Ron Worley, Representative, State of Kansas
Pete DeGraaf, Representative, State of Kansas
Jarrod Forbes, Lobbyist, Polaris Industries

Others attending:

See attached list.

The Chairman called attention to reconsider the action on **HB 2547 - Vehicle dealers and manufacturers licensing act, franchise agreements** taken March 5. He noted his intent to amend language from **HB 2510 - Temporary vehicle registration, use of permit** into **HB 2547**.

The Chairman recognized Carmen Alldritt, Director, Division of Vehicles, Kansas Department of Revenue, to comment on information requested relating to extending temporary permits from 30 days to 45 days. She indicated that it would require many hours of programming and testing. Currently, she does not have staff to spare, or authority to hire under the current budget constraints. She stated cost to the agency for changing to a 45-day tag would be \$35,000.

After discussion, it was determined that the issue of increasing temporary permits to 45 days would be addressed at a later date, and the original content of **HB 2510** should move forward.

Senator Schmidt moved, Senator Kultala seconded, to reconsider action taken on March 5 recommending HB 2547 as amended, favorably for passage. Motion carried.

Senator Donovan moved, Senator Kultala seconded, to further amend HB 2547, with the contents of HB 2510. Motion carried.

Senator Kultala moved, Senator Donovan seconded, to recommend HB 2547, as amended, favorably for passage. Motion carried.

The Chairman opened the hearing on **HB 2552 - Midwest interstate passenger rail compact**. Bruce Kinzie, staff revisor, reviewed the bill.

Jo Ann Pottorff, Representative, State of Kansas, testified as a proponent of **HB 2552**. She stated that enacting the compact would make Kansas a member of the Midwest Interstate Passenger Rail Commission (MIPRC). Currently, the MIPRC is made up of the majority of the Midwestern states, including Illinois, Iowa, Ohio, Wisconsin, Missouri and Minnesota. Kansas and South Dakota are the only two eligible states that are not members.

CONTINUATION SHEET

Minutes of the Senate Transportation Committee at 8:30 a.m. on March 9, 2010, in Room 152-S of the Capitol.

She continued that the MIPRC works to coordinate interaction among Midwestern state officials, encourages federal government financial partnerships with individual states to create a faster, more frequent passenger rail service for the Midwest. Additionally, the MIPRC is an active advocate for federal funding for passenger rail projects (Attachment 1).

Lindsay Douglas, Legislative Liaison, Kansas Department of Transportation (KDOT), appeared in support of **HB 2552**. She indicated that the purpose of the MIPRC, and its member states, is to promote the development, implementation and improvement of intercity passenger rail service in the Midwest and to promote coordination among the public sectors at the federal, state and local levels as well as with the private sector stakeholders (Attachment 2).

Mary Ellen Conlee, testified on behalf of The Northern Flyer Alliance, a consortium of city councils, civic groups and citizens promoting the development of intercity passenger rail service in Kansas, Oklahoma and Texas. Passage of **HB 2552** allows Kansas to become a full voting member of the MIPRC and have the support of the commission as it seeks federal funding for bringing intercity passenger rail service to Kansas. Ms. Conlee provided maps showing the current Amtrak service throughout the 12-state region and the gap in Amtrak passenger rail service that the Northern Flyer Alliance is attempting to remedy. She also included a recent summary of Midwestern States' awards of funding for High Speed Intercity Passenger Rail Program available through the American Recovery and Reinvestment Act (Attachment 3).

Written testimony in support of **HB 2552** was submitted by:

Laura Kliewer, Director, Midwest Interstate Passenger Rail Commission (Attachment 4)

There being no further conferees, the hearing on **HB 2552** was closed.

The Chairman suggested working the bill, noting it is straightforward and seeing there was no opposition. Senator Petersen moved, Senator Huntington seconded, to recommend **HB 2552** favorably for passage. Motion carried.

The hearing on **HB 2561 - Allowing transit buses to be operated on right shoulder of certain highways**. Bruce Kinzie, staff revisor, reviewed the bill, explaining that it allows the Secretary of Transportation to designate certain stretches of highways where transit buses may be operated on the shoulders, if certain requirements are met.

Alice M. Amrein, Transportation Director, Johnson County, Kansas, presented testimony in support of **HB 2561**. She stated that this legislation will allow transit buses to operate on the right shoulder when the traffic flow 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 peak traffic volumes. Bus on Shoulder (BOS) operation is only permitted where it can be used safely.

She continued noting that this BOS operation is being used extensively in Minnesota. Minneapolis has deployed more than 270 miles of BOS on urban freeways. Johnson County Transit (JCT) has been studying ways to improve transit service and increase the effectiveness of urban roadways without large infrastructure investment, and BOS has emerged as the most effective means, in particular, for use on sections in the I-35 Corridor. She stated the initial estimated costs, associated with I-35 improvements, is approximately \$2,400,000, and would be covered with money that they currently have through a federal grant. The cost to the State for signage and striping is approximately \$150,000 - \$200,000 (Attachment 5).

Lisa Koch, Public Transit Manager, Kansas Department of Transportation, appeared as a proponent. She stated that KDOT understands the operational details of this service and supports the 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 JCT proposes to operate BOS, **HB 2561** does not specify a location, but instead allows KDOT the authority to authorize additional providers and locations as it is deemed appropriate. KDOT would develop a framework for authorizing transit providers to operate on certain sections of the State Highway System (Attachment 6).

CONTINUATION SHEET

Minutes of the Senate Transportation Committee at 8:30 a.m. on March 9, 2010, in Room 152-S of the Capitol.

Ron Worley, Representative, State of Kansas testified in support of **HB 2561**. He indicated that this program would postpone or reduce large expenditures required to add additional lanes and/or roads. It would provide very low cost and nearly immediate relief to current traffic congestion, especially during the morning and evening drive times (Attachment 7).

There being no further conferees, the hearing on **HB 2561** was closed.

The Committee had many questions relating to the transit bus operation, and requested a map of the I-35 corridor showing the sections JCT is proposing BOS operations. Chairman Umbarger indicated he would work the bill at a later date, allowing time for the proponents to provide additional information.

The Chairman opened the hearing on **HB 2660 - Recreational off-highway vehicles, regulation thereof**. Bruce Kinzie, staff revisor, reviewed the bill. He noted this bill is similar to **SB 536**, which the Committee heard on February 16, stating the difference between the bills is **HB 2660** added the provision for Boy Scouts of America license plate and removed Section 6.

The Chairman recognized Carmen Alldritt, Director, Division of Vehicles. She requested a delay on the Boy Scouts of America license plate by amending line 32, changing the year to 2012.

Pete DeGraaf, Representative, State of Kansas, presented testimony in favor of **HB 2660**. He stated that the Boy Scout license plate started out as **HB 2615**, and with overwhelming bipartisan support, the bill was amended into **HB 2660** on the House floor. The original bill has 25 co-sponsors, and is a money maker for the Scouts and the State of Kansas (Attachment 8).

Jarrod Forbes, representing Polaris Industries, appeared as a proponent of **HB 2660**. He indicated that the bill adds a new definition to the off-road family, "recreational off-highway vehicle". Polaris feels it is important to have this new classification of vehicles so that Kansas Statutes keep pace with the vehicles that are being produced by the industry (Attachment 9).

There being no further conferees, the hearing on **HB 2660** was closed.

The Chairman announced his intention to work the bill today and amend the contents of **SB 408 - County treasurers, additional locations for vehicle registrations** and **SB 367 - Regulating traffic; enforcement of helmet law for motorcycles** into **HB 2660**.

Discussion followed and it was noted that there were two technical amendments needed in **HB 2660**.

Senator Apple moved, Senator Schmidt seconded, to amend **HB 2660** on page 1, line 32, by changing the year from "2011" to "2012" and line 39, by changing "county" to "country". Motion carried.

Senator Apple moved, Senator Schmidt seconded, to further amend **HB 2660**, with the contents of **SB 408** and **SB 367**. Motion carried.

Senator Apple moved, Senator Schmidt seconded, to recommend **HB 2660**, as amended, favorably for passage. Motion carried.

The meeting was adjourned at 9:35 a.m. The next meeting is scheduled for March 10, 2010.

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BUILDING CONSTRUCTION

Testimony to the Senate Committee on Transportation

March 9, 2010

Representative Jo Ann Pottorff

Mr. Chairman and members of the Senate committee on transportation. I appreciate the opportunity to testify before you today on HB 2552, enacting the Midwest interstate passenger rail compact.

Enacting the compact would make Kansas a member of the Midwest Interstate Passenger Rail Commission, or MIPRC. The MIPRC is a great place to begin our journey to reviving the railroad system in Kansas. Since its creation in 2000, it has become a strong advocate for funding to make passenger rail improvements a reality in the region. In addition to being an advocate at the federal, state, and local levels, it seeks ways to develop partnerships, including interstate partnerships and partnerships with rail industry and labor, to implement improved passenger railroads.

Currently, the MIPRC is made up of the majority of the Midwestern states, including Illinois, Iowa, Ohio, Wisconsin, Missouri, and Minnesota. In fact, the only two states that are eligible for the compact which are not already members are Kansas and South Dakota. There is no good reason why Kansas should not be a member of the MIPRC.

Some people might claim that a compact is not in Kansas' best interests. However, railroad tracks do not begin or end at the Kansas state border. The railway system is, by definition, a multi-state pursuit. The MIPRC recognizes this fact and works to coordinate interaction among Midwestern state officials. It also seeks to encourage federal government financial partnerships with the individual states to create a faster, more frequent passenger rail service for the Midwest.

This is an important reason to consider joining the compact. The MIPRC is an active advocate for federal funding for projects. In 2009, the federal American Recovery and Reinvestment Act provided \$8 billion dollars for passenger rail. Of that 8 billion dollars, the Midwest received 2.6 billion. Although Kansas asked for \$17.9 million, we were only rewarded with \$250,000, or 1.4% of what we requested. In contrast, Ohio received 74.52%, or \$400 million of the \$563.8 million they asked for and Wisconsin received 98.77%, or \$822 million of the \$832.2 million they asked for. Michigan, one of the states that received only 2.22% of the amount they asked for, still received \$40 million.

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Attachment 1

Kansas is no less deserving of that money than the rest of the Midwest. However, we did not have a strong advocate in our corner, pushing for federal assistance in reviving our passenger rail. Therefore, I believe that we need to become a member of the MIPRC, helping to create that advocate that would be useful for future federal funding, as well as assisting in coordination between other Midwestern states. Again, there is no good reason why Kansas should not be a part of the compact. Thank you for the opportunity to speak to the committee about this issue, and I ask for your support for HB 2552.

American Recovery and Reinvestment Act funding

State	Amount Requested	Amount Received	Percentage Received
Wisconsin	\$832.2 million	\$822 million	98.77%
Ohio	\$563.8 million	\$400 million	74.52%
Missouri	\$84.7 million	\$31 million	36.60%
Illinois	\$4.9 million	\$1.255 billion	25.20%
Iowa	\$301.8 million	\$18 million	5.96%
Indiana	\$2.9 billion	\$71 million	2.45%
Michigan	\$1.8 billion	\$40 million	2.22%
Kansas	\$17.9 million	\$250,000	1.40%
Minnesota	\$136.4 million	\$1 million	0.73%

Amount requested and received by each individual state was obtained from the MIPRC website – www.miprc.org

**TESTIMONY BEFORE
SENATE TRANSPORTATION COMMITTEE**

**REGARDING HOUSE BILL 2552
RELATED TO KANSAS JOINING THE MIDWEST INTERSTATE
PASSENGER RAIL COMPACT**

March 9, 2010

Mr. Chairman and Committee Members:

I am Lindsey Douglas, Legislative Liaison for the Kansas Department of Transportation (KDOT). I appreciate the opportunity to testify in support of HB 2552.

HB 2552 would allow Kansas to join the Midwest Interstate Passenger Rail Compact. The purpose of the Midwest Interstate Passenger Rail Commission, and its member states, is to promote the development, implementation and improvement of intercity passenger rail service in the Midwest and to promote coordination among the public sector at the federal, state and local levels as well as with private sector stakeholders.

In joining the Compact, Kansas would have four members on the Commission. The Governor or his designee, a member of the private sector appointed by the Governor, and two state legislators, one from each legislative chamber, would comprise the Kansas delegation to the Commission. At this time, each member state contributes an annual fee of \$15,000 to the Commission. This fee covers administrative costs of Commission staff as well as reimbursement to members for travel, lodging and meals associated with official Commission meetings.

Thank you for the opportunity to testify in support of HB 2552. I would be happy to stand for questions at the appropriate time.

Testimony Presented to the Senate Transportation Committee
By Mary Ellen Conlee
March 9, 2010

Chairman Umbarger, members of the committee. I am Mary Ellen Conlee representing The Northern Flyer Alliance, a consortium of city councils, civic groups and citizens promoting the development of intercity passenger rail service in Kansas, Oklahoma and Texas. The Alliance is led by civic leaders who have come together to convey a message of strong constituent support for legislative authorization for passenger rail service.

Last month representatives from the Northern Flyer Alliance spoke with you in support of SB 409, a bill that creates a passenger rail program and a mechanism for receiving and spending funds for passenger rail in Kansas. This bill passed the Senate on February 18th and the House Transportation Committee on March 5th and is now on General Orders in the House.

I am here today asking for your support of HB 2552, a bill that would provide the required legislative support for Kansas to become a full voting member of the Midwest Interstate Passenger Rail Commission. The main purpose of the Commission is to promote, coordinate and support regional improvements to passenger rail service. As a voting member, Kansas would have the support of the commission as it seeks federal funding for bringing intercity passenger rail service to Kansas. The proposed rail service, connecting Kansas City to Oklahoma City and Forth Worth, would close the gap in Amtrak service from Chicago to Dallas while providing daytime passenger rail service for several Kansas and Oklahoma cities and towns. You can see from the attached map that 12 Midwest states make up the region that the Commission serves and only Kansas and South Dakota have not taken the legislative action necessary to allow their elected officials to become voting members.

I have attached two maps for your information. One shows the current Amtrak service throughout the 12- state region. The second shows the gap in Amtrak passenger rail service that the Northern Flyer Alliance and the cities and citizens that it represents are attempting to remedy.

A 3rd attachment identifies the \$2.617B that states in the Midwest region received in federal funding announced on January 28, 2010. With support from membership in the Midwest Interstate Passenger Rail Commission Kansas could be on the receiving end of the next Federal Railway Administration distribution with funding to upgrade rail tracks and grade separations, the next necessary step for reaching the Northern Flyer Alliance goal of reinstating daytime passenger rail service in Kansas.

When Laura Kliewer, Executive Director of the Midwest Interstate Passenger Rail Commission, testified before the House Committee, she pointed out that, while the annual membership for Kansas would be \$15,000, the designated commission members from each state would have expenses paid by the commission when they attend official commission meetings.

The Northern Flyer Alliance asks for your support of HB 2552.

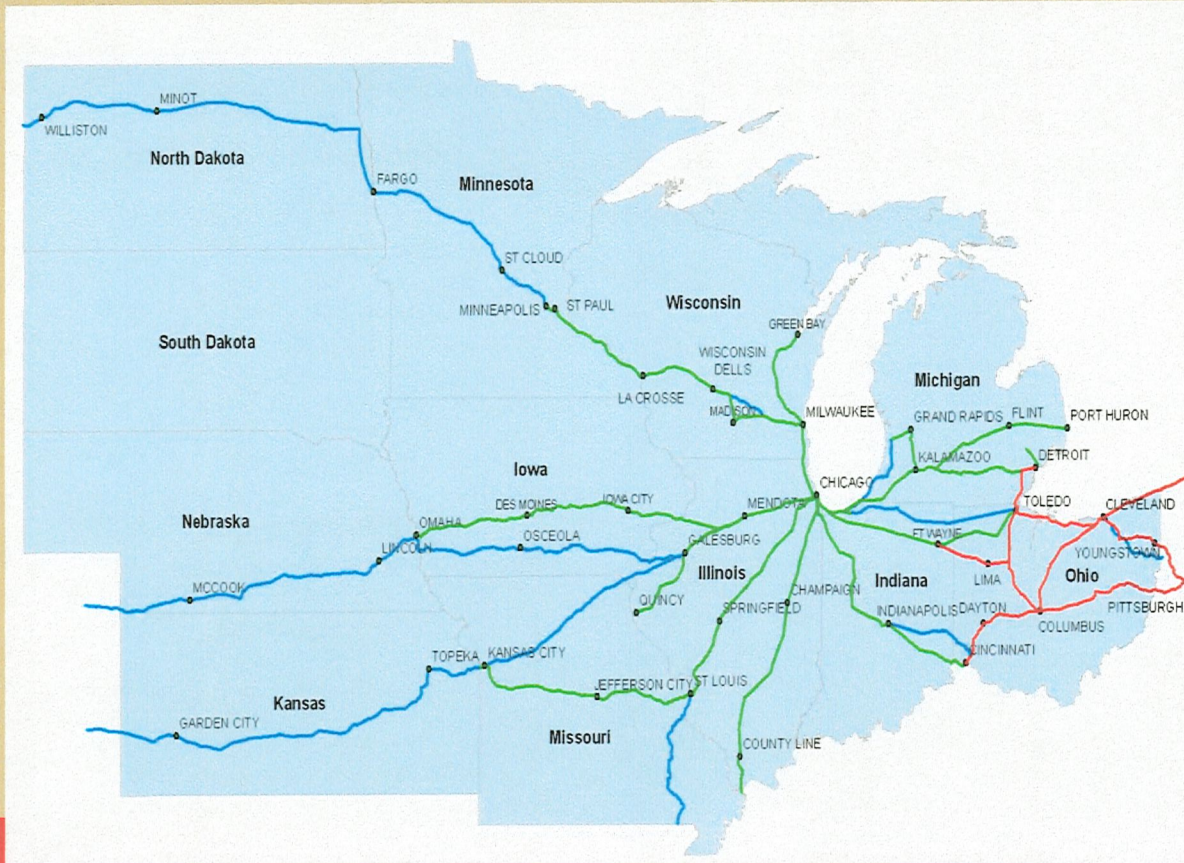


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Attachment 3

HB 2552

2-2

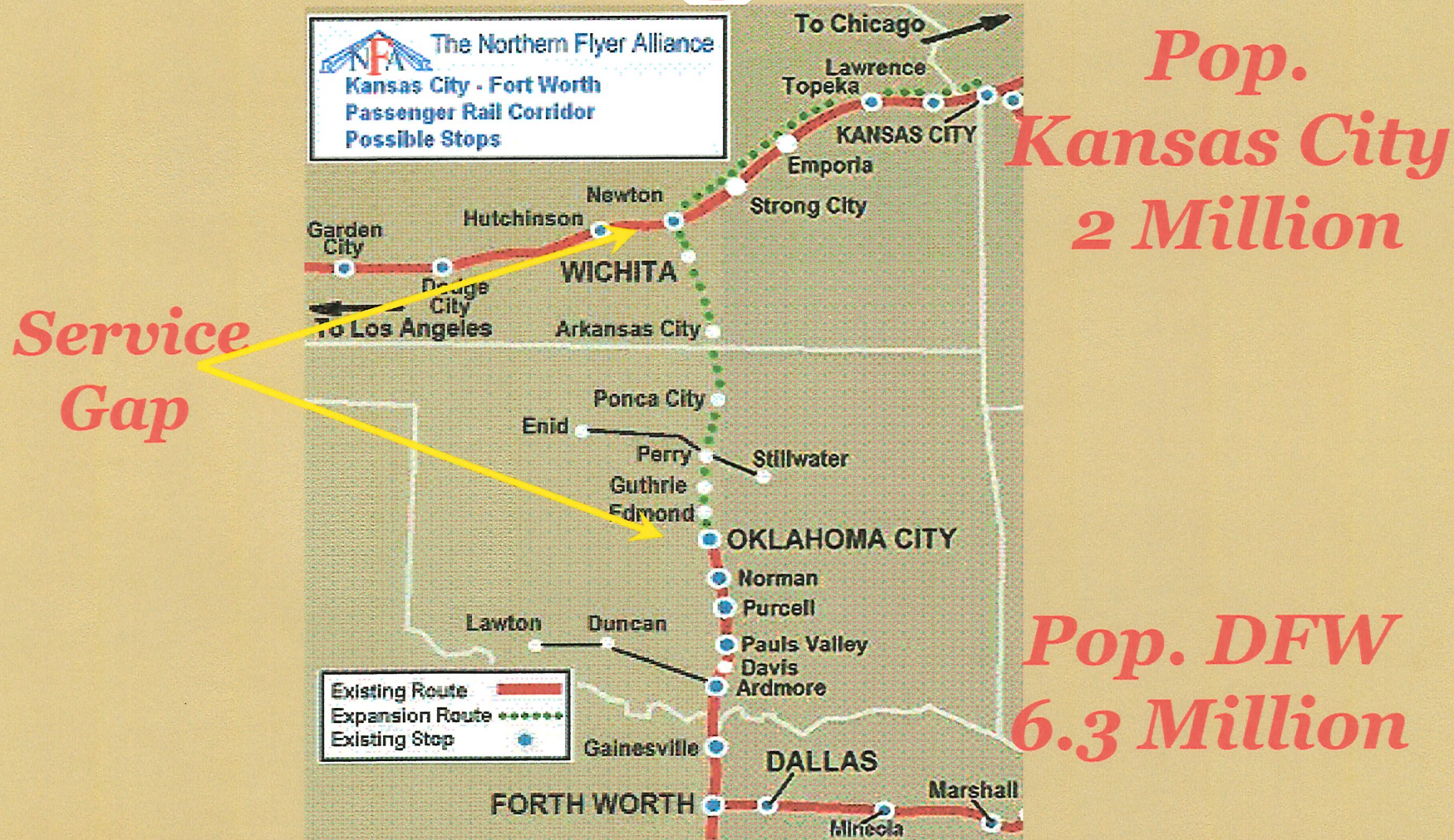
Authorizes Kansas to join the Midwest Interstate Passenger Rail Commission



3-2

Passenger Rail Service Program Request

3-3



3-3

Summary of Midwestern States' Awards 1/28/10



MIDWEST REGION		\$2.617 billion total	
Corridor: Chicago-St. Louis-Kansas City			
State	Route	Est. Funding	Description
IL	Chicago - St. Louis	\$1.102 billion	Improvements to the corridor, allowing passenger rail service from Chicago to St. Louis to operate at speeds of up to 110 mph. These include an overhaul of track, signal systems, and existing stations, as well as implementation of positive train control technology. Planning studies for additional service enhancements are also included.
MO	St. Louis - Kansas City	\$31 million	Projects will include the expansion of existing railroad bridges and universal crossovers, as well as improved grade crossings.
<i>Corridor Total</i>		<i>\$1.133 billion</i>	
Corridor: Minneapolis/St. Paul-Milwaukee-Chicago			
MN	Minneapolis/St. Paul-Madison	\$1 million	A planning study will explore extension of high-speed rail service to the Twin Cities
WI	Madison-Milwaukee	\$810 million	This project will include new and refurbished stations, as well as implementation of positive train control technology along 80 miles of track.
WI	Milwaukee - Chicago	\$12 million	Station construction, infrastructure enhancements, and signal and track improvements will enhance time performance and reliability and create the building blocks for future 110 mph service.
<i>Corridor Total</i>		<i>\$823 million</i>	
Corridor: Detroit-Chicago			
MI	Detroit/Pontiac-Chicago	\$40 million	Renovation of stations in Troy and Battle Creek, MI, and construction of a new station in downtown Dearborn.
IL	Detroit/Pontiac-Chicago	\$133 million	Station renovations and investments such as a new station, a flyover, approach bridges and embankment and retaining walls.
IN	Detroit/Pontiac-Chicago	\$71 million	Crossovers and related signal system improvements, rail additions and siding improvements, resulting in travel time savings and on-time performance improvements.
<i>Corridor Total</i>		<i>\$244 million</i>	
Corridor: Cleveland-Columbus-Cincinnati			
OH	Cleveland - Columbus - Cincinnati	\$400 million	"3-C" (Cleveland-Columbus-Cincinnati) start-up service (capacity additions, track upgrades, grade crossing upgrades, stations, train maintenances & layover facilities). This project will also include planning for necessary equipment that can support future service improvements/
<i>Corridor Total</i>		<i>\$400 million</i>	
*Corridor: Chicago-Omaha			
IA	Chicago-Omaha	\$1 million	Service Level Tier 1 NEPA planning study to determine preferred route, prepare a service development plan (SDP) and conduct preliminary engineering (PE) for new service between Chicago and Omaha
<i>Corridor Total</i>		<i>\$1 million</i>	
*Additional Midwestern States' Projects Awarded			
IA	Iowa portion of Amtrak's California Zephyr route	\$17 million	Reduce travel times and improve on-time performance by installing 4 remotely-controlled powered crossovers on the BNSF Ottumwa subdivision.
KS	Kansas-Oklahoma/Texas route studies	\$250 thousand	Service development plan between Newton, KS and Oklahoma City, OK connecting Amtrak Southwest Chief service with the Heartland Flyer service, as well as potential new service connecting Kansas City and Dallas/Fort Worth
<i>Total Additional Project Awards:</i>		<i>17.25 million</i>	

Sources: http://www.whitehouse.gov/files/documents/100128_1400-HSRAwards-Summary_FRA%20Revisions.pdf; Midwestern states' HSIPR Program applications.

Note: funding for those marked with an asterisk () are from sources other than the \$8 billion funding for High Speed Intercity Passenger Rail Program available through the American Recovery and Reinvestment Act.

Testimony before the Kansas Senate Transportation Committee 3/9/10
Hearing on HB 2552 - to enact the Midwest Interstate Passenger Rail Compact
Laura Kliewer, Director, Midwest Interstate Passenger Rail Commission

Chairman Umbarger, Members of the Kansas Senate Transportation Committee, thank you for allowing me to submit written testimony in support of HB 2552, which would enable Kansas to join the Midwest Interstate Passenger Rail Compact.

My name is Laura Kliewer, and I am the director of the Midwest Interstate Passenger Rail Commission, the organization created to carry out the compact's objectives when the compact language was passed by three states - Indiana, Minnesota and Missouri - in 2000. Current membership in the commission includes those three states, plus Illinois, Iowa, Michigan, Nebraska, North Dakota, Ohio and Wisconsin - a total of 10 to date. All 12 Midwestern states are eligible to join.

The Midwest Interstate Passenger Rail Commission has been a leading voice for rail improvements since its inception. The keystone of our advocacy efforts is presenting a unified voice on the importance of passenger rail as part of a balanced national transportation system. Intercity passenger rail development is predominantly a *multi-state* pursuit. Though the commission, Midwestern states have a unified way to plan and advocate at the federal, state and local levels for frequent, convenient and cost-effective passenger rail service.

Until about a year and a half ago, MIPRC focused on educating Members of Congress from member states on the importance of passenger rail development, as well as the necessity of a federal-state partnership in funding such development, similar to other modes of transportation.

We fought hard for that partnership, and in October 2008, we received the first solid federal commitment to assisting states in the development of better, more frequent passenger rail service, with the passage of the Passenger Rail Investment and Improvement Act (which established several programs for passenger rail grant assistance to states). We next focused on getting some funding for these programs, and as you may know, \$8 billion was set aside for passenger rail development within the federal economic stimulus legislation. For a state to hope to receive a portion of the \$8 billion, it had to apply to the Federal Railroad Administration. The awards were just announced on January 28, and the Midwest was a big winner. Every Midwestern state that applied for a portion of the funding available through the High Speed Intercity Passenger Rail Program received an award. The region will receive more than \$2.6 billion of \$8 billion available.

Kansas submitted three applications, and one of those three was awarded funding in this first ever substantive distribution of federal assistance to states to make passenger rail improvements. Your state will receive \$250,000 to develop a "Service Development Plan" (SDP) for new passenger rail service between Newton, KS and Oklahoma City, OK, as well

as potential new service connecting Kansas City and Dallas/Fort Worth. The SDP will be developed following the completion of an Amtrak Expansion Feasibility Study which is underway and should be completed soon.

What does all this mean for Kansas in now considering joining the Midwest Interstate Passenger Rail Commission? MIPRC is the vehicle for state leaders to work together to advocate for the federal commitment and understand the state planning that is necessary to see passenger rail initiatives become a reality.

As a region, in partnership with the federal government, the Midwest can become the nation's leader in offering viable, economically-feasible and efficient passenger rail travel. But we'll need to work together. MIPRC brings together the key state-level parties – governors and their designees, legislators and agency officials – to ensure that the region works together in planning and advocacy. Each state also has a private sector designee to the commission.

The commission has been the primary regional advocate of the Midwest Regional Rail Initiative (MWRRI) and the Ohio Hub plans, a nine-state effort to bring more frequent, efficient passenger rail service to our region. Both of these plans received significant funding on January 28 – you can see what each of the corridors received by looking at the press release and chart we produced that day (copies of which are available with this testimony). Closest to you, Missouri received \$31 million to make a number of improvements on the St. Louis to Kansas City route. Missouri currently has state-supported passenger rail service between St. Louis and Kansas City twice a day. The MWRRI would increase those roundtrips to six, as well as make improvements to bring train speeds up to 90 mph.

Over all, all these developments indicate that it will behoove all the Midwestern states to work more closely together in the future. With legislators, governors and their designees, agency officials and private sector appointees representing their states on the Midwest Interstate Passenger Rail Commission, under the auspices of a compact, we are positioned to bring the best interests of the Midwestern states forward. We look forward to the prospect of working together with Kansas to ensure that the region's passenger rail plans are realized.

Thank you again for your time and consideration. You are welcome to contact me at lkliwer@miprc.org or 630.925.1922 should you have any questions.



TESTIMONY BEFORE
SENATE TRANSPORTATION COMMITTEE

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

March 9, 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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Senate Transportation
3-9-10
Attachment 5

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.

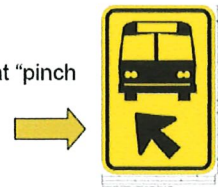
Signage, pavement markings and an effective public information campaign, along with bus driver training are also parts of a successful BRT operation employing BOS.



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

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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

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**TESTIMONY BEFORE
SENATE TRANSPORTATION COMMITTEE
REGARDING HOUSE BILL 2561
RELATED TO ALLOWING BUSES TO DRIVE ON SHOULDERS**

March 9, 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.

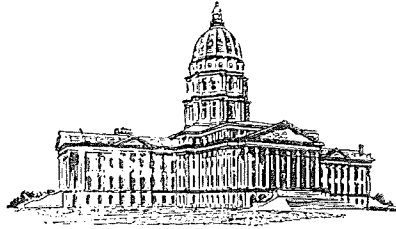
The Kansas Department of Transportation has worked closely with Johnson County Transit as they have planned for Bus on Shoulder operations on I-35. KDOT understands the operational details of this service and supports this project as an opportunity to relieve congestion on one of the state's busiest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

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RON WORLEY
30TH DISTRICT

SENATE TRANSPORTATION COMMITTEE

MARCH 9, 2010

TESTIMONY RE: HB 2561

I am here in support of HB 2561 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.

During the hearing before the House Transportation Committee there were some questions about whether there were actually any times when traffic was moving at less than the 35 mph level in this bill. The Johnson and Wyandotte County Representatives in attendance assured the committee that there were. Last Friday the front page of the KC Star had photos of the traffic and stated speeds at various locations. They reported traffic on Northbound I-35 @ US 69 at 7:30 am Wednesday March 3rd moving at 17 mph. This innovation of allowing busses to use the shoulders will help.

Thank you for your attention and consideration today. I would be happy to respond to questions at the appropriate time.

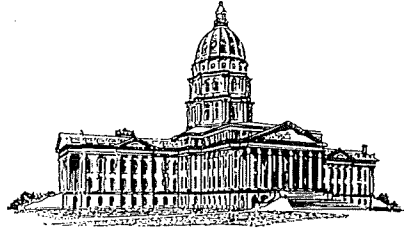
Senate Transportation
3-9-10
Attachment 7

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PETE DEGRAAF
81ST DISTRICT

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APPROPRIATIONS
FINANCIAL INSTITUTIONS
GOVERNMENT BUDGET
INSURANCE
JOINT COMMITTEE ON
CHILDREN'S ISSUES
SPECIAL COMMITTEE ON KTEC

Monday, March 08, 2010

TO: Senator Dwayne Umbarger
Chairman, Senate Transportation Committee
and other Committee Members

SUBJECT: Written Testimony in **SUPPORT of HB 2660** – Motor vehicles.... providing for
Boy Scouts of America license plate.

This distinctive license plate is an attempt to honor thousands of Boy Scouts and their leaders across our great State as we all celebrate 100 years of Boy Scouting in America. For your review, attached to this written testimony is a draft of the Plate with the Scouting Motto – “Be Prepared” blazoned across the bottom.

This Boy Scout license plate Bill started out as HB 2615. With the recommendation of the House Transportation Committee Chairman I amended it into HB 2660 on the House floor. I really don't like it when bills are amended in this fashion. I also felt uncomfortable on the House Floor asking my colleagues for permission to piggyback my bill onto HB 2660. However, the request did get overwhelming and bipartisan support.

The original Bill has 25 co-sponsors. We would all appreciate your help in ensuring the Boy Scout license plate issue gets to the Senate floor and eventually to Governor's desk for passage.

For your knowledge and review this is a money maker for the Scouts and the State of Kansas. I've included a copy of the Fiscal Note for HB 2615. The Scouts will be allowed to charge a royalty fee and plan to ask those interested in using the plate to make a donation of \$25 or more to one of the seven Scout Councils. Missouri has already approved a similar plate and I understand from director Carmen Aldrift that ours will outshine theirs. The Scouts will have to raise about \$20,000 before the Department of Vehicles will proceed.

I look to the wisdom of this committee in finding a way to ensure the spirit of HB 2615, now known as, HB 2660, gets to the Senate Floor favorably for passage.

Respectfully,

A handwritten signature in black ink, appearing to read 'Pete DeGraaf', written over a circular scribble.

Rep Pete DeGraaf

Senate Transportation


3-9-10

Attachment 8

Draft

8-2

BOY SCOUTS	KANSAS	FEB
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OF AMERICA	<i>"Be Prepared"</i>	



Representative Pete DeGraaf
Kansas House, District 81

Bill Detail

	Bill #	Date Introduced
	HB 2615	02/02/2010
Bill Subject	Principal Bill Sponsor	
Motor vehicles; providing for a Boy Scouts of America license plate	Peter DeGraaf, R-81st	
Current Status and Last Action	Votes on this bill	
In House Federal and State Affairs 02/15/2010 - House: Withdrawn from Transportation; referred to Federal and State Affairs	No Senate Votes / No House Vote	

Co-Sponsors

Peter DeGraaf, R-81st
 Barbara Ballard, D-44th
 Steven R. Brunk, R-85th
 Mike Burgess, R-51st
 Paul T. Davis, D-46th
 John Faber, R-120th
 Mario Goico, R-100th
 John C. Grange, R-75th
 Phil Hermanson, R-96th
 Aaron Jack, R-99th
 Forrest Knox, R-13th
 Pat Maloney, D-116th
 Joe McLeland, R-94th
 Ray Merrick, R-27th
 Mike O'Neal, R-104th
 Robert S. (Rob) Olson, R-26th
 Bill Otto, R-9th
 Joe Patton, R-54th
 Janice Pauls, D-102nd
 Jill Quigley, R-17th
 Marc Rhoades, R-72nd
 Louis E. Ruiz, D-32nd
 Don Schroeder, R-74th
 Gene Suellentrop, R-105th
 Jeff Whitham, R-123rd

Bill Texts

HB 2615 - As introduced

Supplemental Notes

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Committee Action



FEBRUARY 16, 2010

**TESTIMONY IN SUPPORT OF HB 2660
SENATE TRANSPORTATION COMMITTEE**

Mr. Chairman and Members of the Committee:

Thank you for allowing me to appear before you today. My name is Jarrod Forbes and I represent Polaris Industries. As you are aware, Polaris Industries develops, manufactures and sells ATVs, snowmobiles and various other off-road vehicles.

Today we are asking to add a new definition to the off-road family, "Recreational off-highway vehicle". As the bill indicates, the new definition is as follows:

"Recreational off-highway vehicle" means any motor vehicle 64 inches or less in width, having a dry weight of 2,000 pounds or less, traveling on four or more nonhighway tires, having a non-straddle seat and steering wheel for steering control.

We feel it is important to have this new classification of vehicles so that our Kansas Statutes keep pace with the vehicles that are being produced by the industry.

We see this as a simple yet needed change and we would appreciate your favorable action on the bill. With that Mr. Chairman, I would be happy to stand for questions at the appropriate time.

800 SW Ja
Topeka

Senate Transportation
3-9-10
Attachment 9