

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:30 a.m. on February 17, 2004 in Room 527-S of the Capitol.

All members were present except:
Senator David Adkins-absent

Committee staff present:
Hank Avila, Legislative Research Department
Bruce Kinzie, Revisors of Statutes
Marian F. Holeman, Committee Secretary

Conferees appearing before the committee:
Senator Dave Jackson
Senator Robert Tyson
David Church, KDOT Bureau Chief, Traffic Engineering
Tom Whitaker, Kansas Motor Carriers Assn.
Larry Baer, League of Kansas Municipalities

Others attending:
See Attached List.

SB 384: Increasing maximum speed limit on certain highways

Senator Jackson explained the rationale behind the request for this bill ([Attachment 1](#)). Senator Robert Tyson addressed safety, as well as economic development and tourism aspects of the bill. Except for the west coast states, Kansas is the only western state with a 70 mph speed limit. All others are higher. Nebraska's I-80 has approximately 50% higher traffic rate than Kansas' I-70. However, the difference in safety from I-70 is less than 1 death per 100 million miles traveled. He urged passage of this bill to bring more people across the State, because we need the economic development. I-70 needs to be the "Main Street of Kansas," especially in western Kansas. He further addressed the need to bring people to Kansas to show them what we have to offer; and the need to be consistent with the states around us ([Attachment 2](#)). David Church, Chief of the Bureau of Traffic Engineering, KDOT, explained the difference between an expressway which has intersections and a freeway which is totally access controlled. On a freeway you can only enter or exit at an interchange. All interstates are considered "freeways." KDOT has no problem with increasing the speed limit. Mr. Church advised that, should the bill become law, there would still be some Kansas highways with 70 mph speed limits. He suggested modifying page one (line 40) and page two (line 6) in the current Bill from 65 to 70 mph ([Attachment 3](#)). Kansas Department of Transportation (KDOT) will still have the authority to set speed limits as they deem necessary for safety purposes. The reported estimation of \$300 each for new speed limit signs is for new signs, not decals. Closed hearing on **SB 384**.

SB 501: Compression release engine braking system

Tom Whitaker, executive director, Kansas Motor Carriers Association (KMCA), addressed the need for this bill. Present law does not adequately address the problem. KMCA believes the bill is a practical and uniform approach to assure compression release engine braking systems are used properly ([Attachment 4](#)). Larry Baer, League of Kansas Municipalities spoke in support of the bill. City ordinances have no extraterritorial control authority and this bill is a good example of state legislation that will work cooperatively with local control ([Attachment 5](#)). Senator Jackson, who had requested the bill introduction, added his voice in support of the measure; explaining that this measure was passed by both houses of the legislature last year, but somehow became lost and did not become law ([Attachment 6](#)).

Final action

Following discussion of **SB 501**, Senator Schodorf moved to recommend the bill favorable for passage. Senator Lyon seconded the motion. Motion carried.

SB 330: Warning devices on garbage trucks

CONTINUATION SHEET

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE at 8:30 a.m. on February 17, 2004 in Room 527-S of the Capitol.

Members returned to consideration of **SB 330**. Discussed several issues regarding the bill including the fact that some local cities have ordinances regulating time of day when these devices can or cannot be used. It is not the intent of this legislation to negate local ordinances. Discussed an amendment to allow local units of government to continue implementing such ordinances. Discussed OSHA standards for the devices and the grey areas in those standards. This bill would provide clarification. Big company trucks are equipped with these devices; however, some private haulers may not have them. Senator Goodwin moved to adopt the amendment. Senator Schodorf seconded the motion. Motion carried. Senator Goodwin moved to recommend the bill, as amended, favorable for passage. Senator Schodorf seconded the motion. Motion carried.

Approval of minutes

Senator Salmans moved to approve minutes of February 10 and February 11, 2004. Senator Goodwin seconded the motion. Motion carried.

Meeting adjourned at 9:20 a.m.

The next meeting is scheduled for February 18, 2004.