

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:35 A.M. on January 24, 2007 in Room 527-S of the Capitol.

All members were present except:
Anthony Hensley- excused

Committee staff present:
Hank Avila, Kansas Legislative Research Department
Mike Corrigan, Revisors of Statutes
Maggie Breen, Committee Assistant

Conferees appearing before the committee:
Senator Phil Journey

Others attending:
See attached list.

Chairman Donovan opened the hearing on **SB 6--Driver's licenses, habitual violators, allowing use motorized bicycle license.**

Proponent:

Senator Journey said the three bills being heard today are "retreads". All three bills passed the Senate, in identical form, but didn't pass the House. **SB 6** deals with habitual violators. Individuals that have a habitual violator's status have had 3 serious violations in a 5 year period. This is substantially different than having a suspension on their license. The habitual violator will have their license suspended for a minimum of 3 years and it's possible that they won't be able to drive for the rest of their lives. A least a moped gives them a real choice and would keep them from driving illegally. ([Attachment 1](#))

A question was posed as to what type of license is required to drive a moped. Marcy Ralston, Division of Motor Vehicles, said a person can drive a moped with a class C driver's license.

Chairman Donovan said the fiscal note indicated they couldn't determine the fiscal effect but there could be some programming cost.

Chairman Donovan closed the hearing on **SB 6** and opened the hearing on **SB 8--Doubling speeding fines in school zones.**

Proponent:

Senator Journey said that doubling the speeding fines in school zones was originally introduced in 2005 as **SB 35** and then he split the bill apart in 2006 because this portion was holding down the rest of the bill. A couple of years ago, fines were doubled in construction zones and our kid are just a valuable as construction workers. It sends an important message and also improves the consistency in the treatment of traffic infractions. ([Attachment 2](#))

Chairman Donovan said the fiscal note said if there was any fiscal impact at all it would be positive but they can't tell because some people might actually slow down.

Chairman Donovan closed the hearing on **SB 8** and opened the hearing on **SB 9--Regulating traffic, video or television-type equipment, operation thereof.**

Proponent:

Senator Journey said this is the bill that ended up with a defective interpretation on the House floor. Current statute K.S.A. 8-1748 prohibits the display of a video display screen, except for a GPS, in a motor vehicle, where it is observable by the driver. The after market stereo units being sold today have screens that pop out of the dash. If they are not wired according to manufacture's specifications, the screen will play while the car is in operation. If wired properly, they won't. An added component from the previous year's considerations, is that the current statute also prohibits video display terminals. As law enforcement goes to more efficient ways of dispatching and distributing information, they are using video display units and

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mounted laptops to receive information, for example Amber Alerts. In addition to this, every major utility dispatches their repairmen via video display terminals. The statute should cover current use of technology. He would not object to amendments. (Attachment 3)

Chairman Donovan closed the hearing on **SB 9**.

Chairman Donovan opened the floor for introduction of bills.

Senator Wilson said that last year a bill was passed dealing with self propelled cranes. It appears that the definition of cranes was not properly addressed. He proposed the introduction of a bill draft to clarify the definition of and authority of cranes on the highway.

Senator Palmer made a motion to introduce the bill. Senator Gilstrap seconded the motion. The motion carried.

Chairman Donovan presented the January 11th committee minutes for approval. Senator Wilson made a motion to approve the minutes as written. Senator Apple seconded the motion. The motion carried.

Senator Apple asked for clarification on how the program on speciality license plates works. It seems as the legislature is put in the position of endorsing an organization when asked to grant requests for speciality license plates. And once the request is granted, is there any way of knowing if the organization is operating in a good manner? Where's the accountability for the funds being generated by the speciality license plates helping who they are designated to help? He's heard of two speciality license plates that will be asked for this year.

Chairman Donovan said there's two things that have sort of exploded in the last 10 years. Speciality license plates and naming of highways. He said they have tried to slow them down a little bit by putting parameters in place, such as a minimum number of 500 plates must be sold and increasing the cost of the signs to 150% of cost, to pay for the maintenance of the signs. But that hasn't slowed them down and it's difficult to deny a request when someone thinks they have a worthy cause. He said he doesn't think any speciality plates have been taken back except one case where a group that asked for it were never able to reach the required number. He also mentioned that the KSU and KU tags have been very successful, they sell a lot of tags.

Senator Apple said he's not worried about them, he knows the universities are accountable. But he is concerned with small private organizations, regardless of whether they're nonprofit or not, they might say they would like to raise money for something, like the disabled or children in wheel chairs. Who can vote against that. Then what happens when it's discovered that 90% of the money is going to the people who raise funds and not to the cause it proposes to be for. He's concerned that the legislature is in the position of semi-endorsing the organization. He's wondering where the accountability comes in and should there be some criteria. He said he's not as concerned with the naming of the highways.

A request was made that the committee be given a report of how many speciality tags we have and who the groups are. Also, whether a group sells the tags for additional funds or just charges the cost of the tag.

Ken Gudenkauf, KDOT, gave the following statistics of the number of sections of highways that have been named in honor of an individual or group: In the 1950's - 4; in the 1960 - 10; in the 1970's - 2; in the 1980's - 9; in the 1990's -14; and since 2000 - 25. There were as many in the last 6 years as there were in the 40 year period from 1950 through 1989.

Senator Donovan thanked Senator Wilson for taking over the committee until he was able to return.

The meeting adjourned at 9:03 a.m.

The next meeting is scheduled for January 25.